

**APPENDIX A:
NOTICE OF PREPARATION AND
NOTICE OF PREPARATION COMMENTS LETTERS**



Notice of Preparation

Notice of Preparation

To: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814 (Address)

From: City of San Leandro
835 East 14th Street
San Leandro, CA 94577 (Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

The City of San Leandro will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Sally Barros at the address shown above. We will need the name for a contact person in your agency.

Project Title: San Leandro Shoreline Development Project

Project Applicant, if any: Cal Coast Development

Date December 11, 2013

Signature 

Title Senior Planner

Telephone 510-577-3458

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

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NOTICE OF PREPARATION

DATE: December 11, 2013

TO: State Clearinghouse
Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Organizations

FROM: Sally Barros
Senior Planner, Community Development Department
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

SUBJECT: Notice of Preparation (NOP) of the Draft Environmental Impact Report (EIR) for the San Leandro Shoreline Development Project EIR

LEAD AGENCY/SPONSOR: City of San Leandro

PROJECT TITLE: San Leandro Shoreline Development Project

This Notice of Preparation (NOP) has been prepared for the EIR for the San Leandro Shoreline Development Project, herein referred to as the "Project." The City of San Leandro (City) is the Lead Agency for the preparation of an EIR for the proposed Project. The determination to prepare an EIR was made by the City. As stated in Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an Initial Study is not required to be circulated if the Lead Agency can determine that an EIR will clearly be required for the project. In this case, because of the potential for the project to result in potentially significant impacts that would require an EIR, the City has chosen not to complete an Initial Study.

A NOP for this Project was distributed in July 2013. During the review period, comments were received regarding the location of an existing utility pipeline, and its proximity to proposed development. In order to address this issue, the project developer reconfigured the site plan and modified some project components. The major differences between the previous project and the Revised Project are summarized below:

SUMMARY OF CHANGES TO THE PROJECT

	July 2013 Project	Revised Project	Difference
Residential units	188	354	+ 166
Office	250,000 square feet	150,000 square feet	- 100,000 square feet
Parking Spaces	1,802	1,973	+ 171

Note: Library/Community Center now proposed at site of existing Mulford Branch Library on Aurora Drive.

The comments received during the original NOP review period are still applicable and will be addressed in the EIR. However, the City believes that in order to allow for continued public input and participation, this NOP provides public agencies and the general public an opportunity to submit additional comments on the revised project configuration. As such, in compliance with Section 15802 of the CEQA Guidelines, the City is soliciting comments on the scope and content of the EIR. The City will prepare an EIR to address the environmental impacts associated with development of the Project, and the EIR will examine all phases of the Project including planning, construction, and operation. The Project, its location and potential environmental effects are described below.

Members of the public and public agencies are invited to provide comments in writing on the scope and content of the EIR. The City needs to know the views of your agency with respect to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed Project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than the close of the 30-day NOP review period on January 9, 2014 at 5 p.m. PT. Because the changes to the project are not substantial and previously-accepted comments are still applicable and will be addressed in the EIR, the City will not be holding a Scoping Meeting.

Please mail your comments to Sally Barros, Senior Planner, at the address shown above or email to SBarros@sanleandro.org with "San Leandro Shoreline Development Project EIR" as the subject. Please include a contact person for your agency.

A. Project Location and Description

This section describes the location, the Project description, and objectives of the proposed Project.

1. Project Location and Setting

As shown on Figure 1, the proposed Project is located in the City of San Leandro, in the San Leandro Shoreline Area. The San Leandro Shoreline Area encompasses approximately 1,800 acres of City-owned land situated on the eastern shore of the San Francisco Bay at the western end of Marina Boulevard, commonly referred to as the Shoreline Recreational Area. The Shoreline Recreational Area is south of the Oakland International Airport and is accessible via the Interstate 880 Freeway approximately 1.2 miles to the east. The proposed development site, totaling roughly 52 acres of land, plus a water surface area of approximately 23 acres, is the area generally west of Monarch Bay Drive between Marina Boulevard and Fairway Drive. This area consists of the two peninsulas encircling the boat harbor; the existing commercial and recreational facilities adjacent to the boat harbor; portions of the Marina nine-hole executive golf course; and the site of the existing Mulford Branch Library on the parcel at the corner of Aurora and Fairway Drives

Included within the Shoreline Recreational Area is the Monarch Bay Golf Club with the 18-hole Tony Lema Golf Course and the Marina nine-hole executive golf course, two-tier driving range, pro shop and restaurant; and the 30-acre Marina Park. There are approximately 1,950 parking spaces throughout the public Shoreline Recreational Area.

The Shoreline Recreational Area includes three existing commercial enterprises and one demolished restaurant/banquet facility. These include the 131-room Marina Inn opened in 1985; Horatio's Restaurant completed in 1978; and an El Torito Restaurant, which originally opened as part of the Tia Maria chain in 1970. The foundation and deck piers of the former Blue Dolphin Restaurant remain on-site. Boating facilities currently include a 466-slip public harbor with a separate boat launch and support operations, and two private yacht clubs. Due to physical constraints caused by build-up of silt both in the harbor and the federal channel, occupancy of the harbor currently stands at approximately 30 percent.

There are two vehicular entrances to the Shoreline Recreational Area, one at Marina Boulevard (with direct access to Interstate 880), and a secondary access via Fairway Drive.

2. Project Description

The San Leandro Shoreline Development Project is proposed as an integrated master planned development and a public/private partnership with the City on 52 acres of the City-owned marina.

The proposed components of the Project include:

- ◆ 150,000-square-foot office campus.
- ◆ 200 room hotel.
- ◆ 15,000-square-foot conference center.
- ◆ 354 housing units:
 - 220 Flats (61 condominiums & 159 market rate apartments)
 - 92 Townhomes
 - 42 Single-family detached homes.
- ◆ 3 new restaurants (totaling 21,000 square feet):
 - Restaurant at the end of Mulford Point: 8,000 square feet
 - Restaurant adjacent to hotel: 5,000 square feet
 - Café and Boat rental south of Horatio's: 8,000 square feet.

- ◆ New Library/Community Building on the site of the current Mulford Branch Library.
- ◆ Parking structure (approximately 800 parking spaces)

Public amenities include the following:

- ◆ Approximately 2,500-square-foot community library/community meeting space.
- ◆ Aquatic Center/dock on south side of Pescador Point.
- ◆ Bocce ball courts.
- ◆ 2 community outdoor recreational areas.
- ◆ Picnic areas.
- ◆ Perched beach (interior of harbor basin).
- ◆ Pedestrian piers.
- ◆ Approximately 2 miles of public promenade with a minimum width of 20 feet.
- ◆ Natural shoreline element along the southwest and southeast borders of the harbor basin.
- ◆ Pedestrian/bicycle bridge across the existing harbor entrance.
- ◆ Boardwalk/lookout pier.
- ◆ Several smaller 'finger' lookout piers both along the northern interior of the harbor.
- ◆ Small boat launch.
- ◆ Kayak storage building in interior of harbor.
- ◆ Aeration fountain in harbor basin to aide in water circulation.
- ◆ Refurbishing of existing restrooms 'J/K' (located on Pescador Point Road).

It is intended that the future harbor would be accessible for non-motorized water craft. As such, a small boat launch is shown on the south side, near the proposed kayak storage building. The intent is that kayaks/canoes could enter either from the natural shoreline in the southeast, or from the new dock.

The residential units proposed to be located within the Marina Golf Course would require the relocation of approximately five of the golf course tees and/or holes, which will require temporary closure of the facility. Once reconstruction takes place, the course would re-open.

The Project would require removal of the following structures and features within the Project area:

- ◆ Wood and concrete docks and associated piers, including Blue Dolphin Restaurant platform.
- ◆ Existing El Torito Restaurant building.
- ◆ Rip-rap along the interior of the harbor.
- ◆ Existing Mulford Branch Library building.
- ◆ Golf course concessions stands.
- ◆ 466-slip harbor.
- ◆ Harbor master's office and fuel pump/dock.
- ◆ Public/private restrooms 'A', 'E/F', and 'N/O'.
- ◆ San Leandro Yacht Club building.

The Spinnaker Yacht Club building has been identified as the location for the Aquatic Center. The building may be repurposed or replaced.

3. Construction Phasing

The anticipated construction phasing for the land-side portion of the Project will be:

a. Phase 1

- ◆ 200-room limited service hotel (inclusive of pool).
- ◆ 15,000-square-foot conference center.
- ◆ An approximately 5,000-square-foot full-service restaurant.
- ◆ An approximately 8,000-square-foot full-service restaurant.
- ◆ Between 50,000 and 100,000 square feet of office along Monarch Bay Drive and a Parking Structure. The office will be approximately 36 feet x 40 feet in height and the parking structure will depend on parking counts, but no more than 32 feet in height.
- ◆ Up to 159 multi-family rental units. Parking structure to be shared with the office.
- ◆ A mixed-use building (30,000-square-foot) containing a Café/boat rental facility (8,000 square feet) and up to 61 condominium units on the former Boatworks site.
- ◆ An approximately 2,500 square-foot Library/Community Building.
- ◆ Associated infrastructure.

b. Phase 2

- ◆ 64 two- to three-story townhomes built within the re-designed Marina Golf Course.
- ◆ 70 Homes on Fairway Drive built within the redesigned Marina Golf Course:
 - Up to 42 two-story single family-detached homes.
 - Up to 28 Townhomes.
- ◆ Associated infrastructure.

c. Phase 3

- ◆ The balance of the 150,000 square feet of office (unless the market allows it to be absorbed during Phase 2). The parking structure will already have been built during Phase I.
- ◆ Associated infrastructure

B. Public Agency Approvals

The City of San Leandro is the Lead Agency for certification of the EIR. While other agencies may be consulted during the permitting process, their approval is not required for certification of the EIR. However, subsequent development entitlements for the project will require approval of State, federal, and regional responsible and trustee agencies that may rely on the EIR for decisions in their areas of expertise.

The proposed project will also require a series of planning entitlements, including a General Plan amendment to change the land use designation from General Commercial and Parks/Recreation to General Commercial; and a Rezone from CR Commercial Recreation to CC Commercial Community with a Planned Development Overlay, CC(PD). These entitlements will be considered by the Planning Commission (recommending body) and City Council. Subsequent approvals to evaluate the design of the buildings, site plan and landscape plans will be processed through the City's Site Plan Review entitlement before the Planning Commission (recommending body) and City Council. Additionally, the City anticipates that the project will require approvals/permits from responsible Federal, State and Regional agencies, including but not limited to the San Francisco Bay Conservation and Development Commission (BCDC), the

Army Corps of Engineers, Regional Water Quality Control Board (San Francisco Bay Region), California Department of Fish and Wildlife and others as appropriate.

C. Environmental Factors Potentially Affected

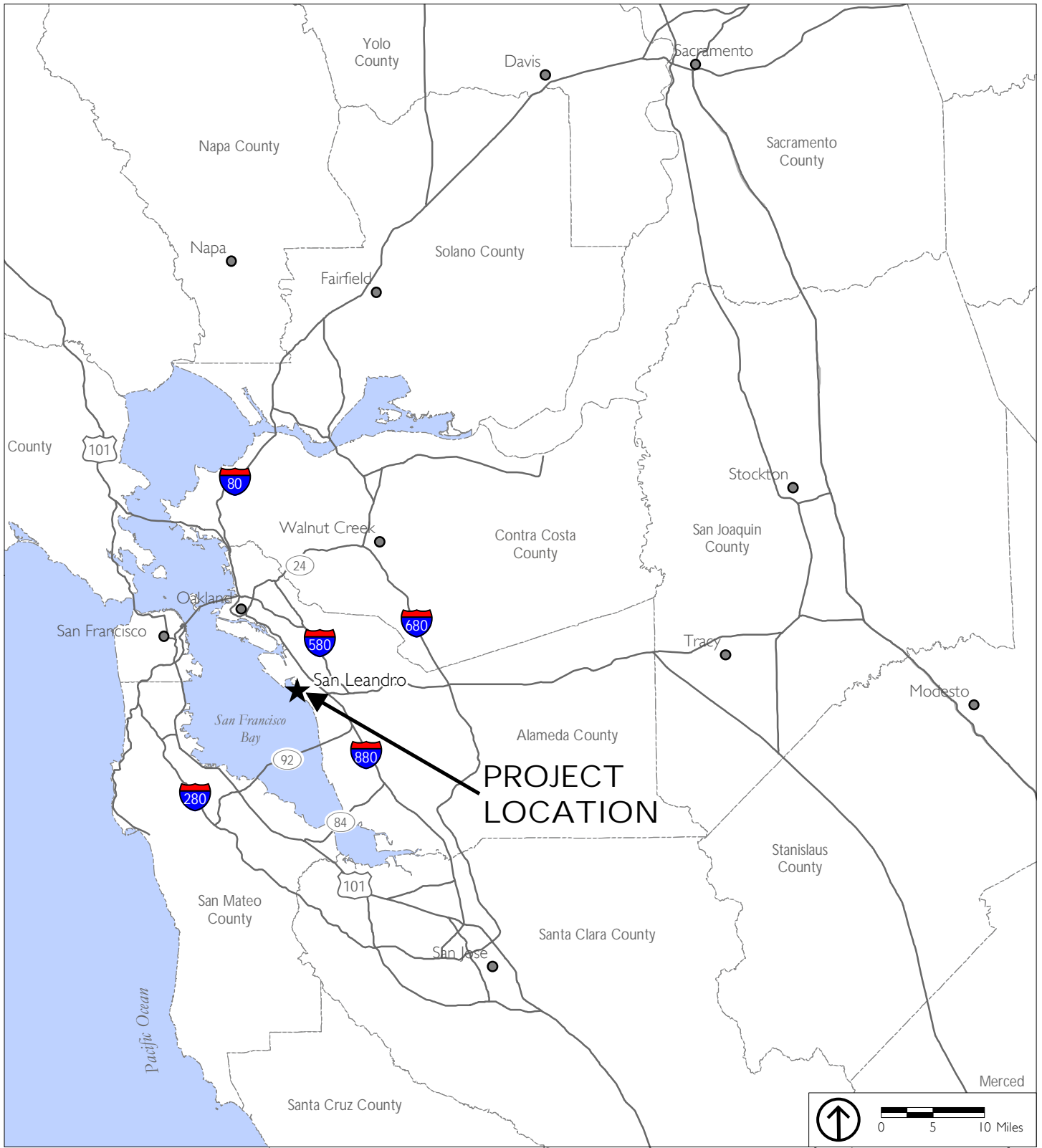
The proposed Project could potentially affect the following environmental factors and each will be addressed in the EIR:

- ◆ Aesthetics
- ◆ Air Quality
- ◆ Biological Resources
- ◆ Cultural Resources
- ◆ Geology and Soils
- ◆ Greenhouse Gas Emissions
- ◆ Hazards and Hazardous Materials
- ◆ Hydrology and Water Quality
- ◆ Land Use and Planning
- ◆ Noise
- ◆ Population and Housing
- ◆ Public Services and Recreation
- ◆ Traffic and Transportation
- ◆ Utilities and Service Systems

Section 15063 of the CEQA Guidelines states that an Initial Study is not required to be circulated if the Lead Agency can determine that an EIR will clearly be required for the project. In this case, because of the potential for the project to result in potentially significant impacts that would require an EIR, the City has chosen not to complete an Initial Study. Due to the past and current uses of the project site, as well as site characteristics, no environmental impacts associated with agricultural and forestry resources and mineral resources, are expected to occur as a result of the project. The EIR will provide source references to validate the exclusion of these sections.

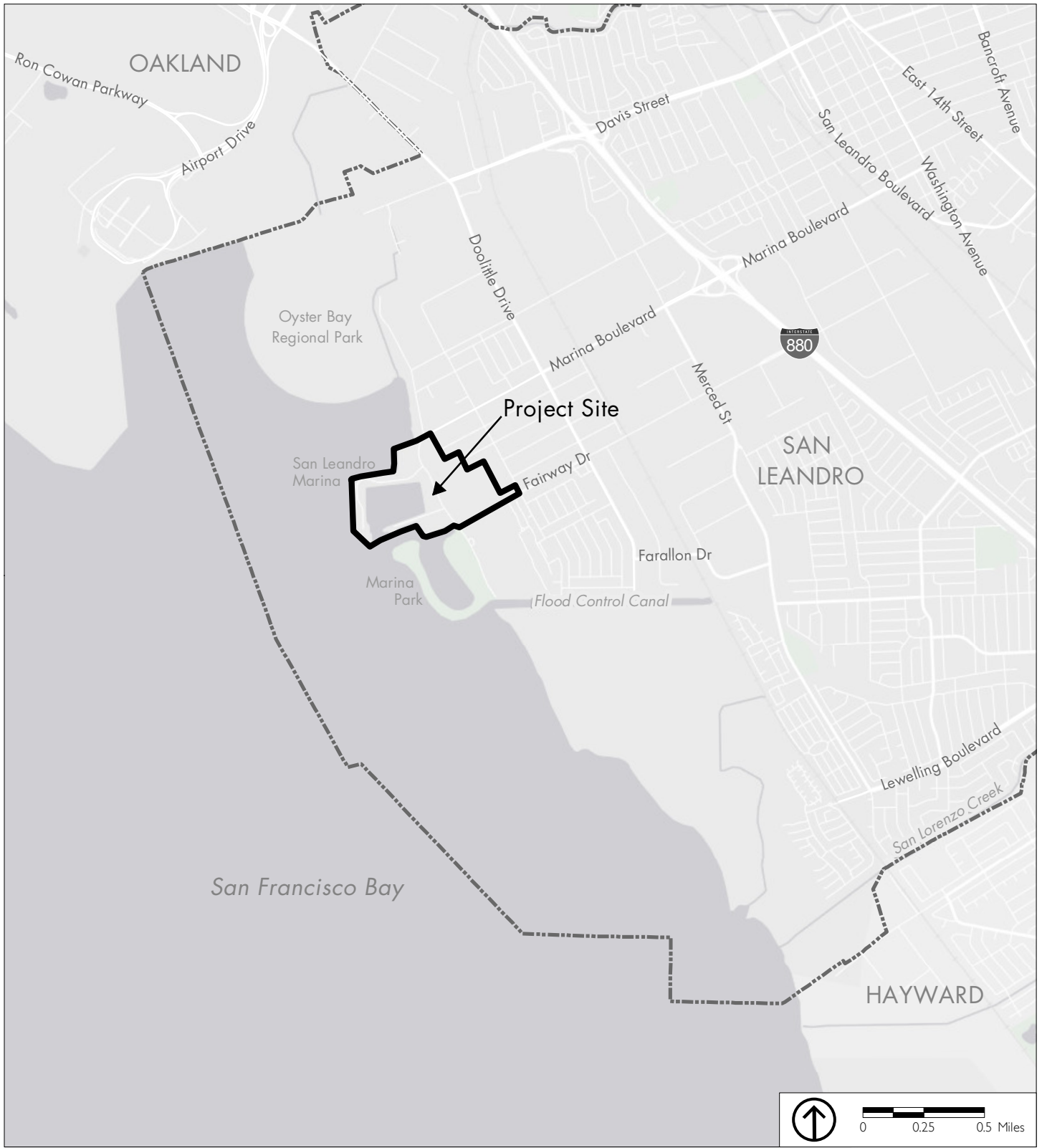
ATTACHMENTS:

1. **Figure 1: Local Location Map**
2. **Figure 2: Local Context Map**
3. **Figure 3: Conceptual Master Plan Map**



Source: The Planning Center | DC&E, 2013

FIGURE I
REGIONAL LOCATION



Source: The Planning Center | DC&E, 2013

FIGURE 2
LOCAL CONTEXT



Source: Cal Coast Companies, LLC, 2013.

FIGURE 3
 CONCEPTUAL MASTER PLAN

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COMMENT LETTERS FOR NOP #1





August 6, 2013

Sally Barros, Senior Planner
Community Development Department
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Subject: Comments on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the San Leandro Shoreline Development Project

Dear Ms. Barros:

On behalf of the San Francisco Bay Trail Project, I am writing to submit comments on the NOP for the DEIR for the San Leandro Shoreline Development Project (Shoreline Project) located in the City of San Leandro. The Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) that plans, promotes, and advocates for the implementation of the Bay Trail. The Bay Trail is a planned 500-mile continuous network of multi-use bicycling and hiking paths that, when complete, will encircle San Francisco and San Pablo Bays in their entirety. It will link the shoreline of all nine Bay Area counties, as well as 47 cities. To date, 333 miles of the proposed Bay Trail system has been developed.

Several segments of the adopted Bay Trail alignment run through and adjacent to the Shoreline Project area. There are existing segments of the Bay Trail that runs along Monarch Bay Drive and the southern shoreline spit. There is also a planned Bay Trail segment that will run along the northern shoreline spit where the Shoreline Project will be located. As such, we are interested in ensuring that the project incorporates the Bay Trail alignment along the northern shoreline spit consistent with the adopted Bay Trail Plan and the Bay Trail Design Guidelines.

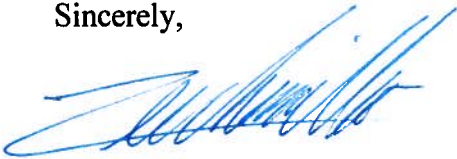
Although it is a bit unclear, it appears that the proposed project includes a 20-foot-wide waterfront promenade along the shoreline edges of the entire northern spit. This would be consistent with the Bay Trail Design Guidelines of providing a minimum 14 to 16-foot trail corridor for bicycle and pedestrian access along the Bay Trail. However, based on our conversations with City staff, it is our understanding that access to the proposed promenade would be limited to pedestrians and would not include access for bicyclists. Since the primary Bay Trail goal is to provide shoreline trail access to pedestrians as well as bicyclists, restricting bicycle access along the promenade would not be consistent with Bay Trail goals and policies.

*Ms. Sally Barros
August 6, 2013*

We would request that the Shoreline Project be modified to allow bicycle access on the promenade similar to the promenade at Jack London Square in Oakland. We would also request that the DEIR analyze the consistency of the Shoreline Project with implementing the adopted Bay Trail alignment including its consistency with the minimum widths identified in the Bay Trail Design Guidelines and the Bay Trail goal of providing shoreline trail access for both pedestrians and bicyclists. Any project impacts to the Bay Trail should be identified and mitigated.

The Bay Trail Project appreciates the opportunity to comment on the NOP for the Shoreline Project DEIR and looks forward to working with the City of San Leandro to improve the Bay Trail within the City. Please do not hesitate to call me at (510) 464-7915 if you have any questions regarding the above comments or the Bay Trail.

Sincerely,



Lee Chien Huo
Bay Trail Planner

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 28660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711



*Flex your power!
Be energy efficient!*

August 5, 2013

ALA880710
ALA-880-22.85
SCH#2013072011

Ms. Sally Barros
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Dear Ms. Barros:

San Leandro Shoreline Development Project – Notice of Preparation

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the San Leandro Shoreline Development project. The following comments are based on the Notice of Preparation. As lead agency, the City of San Leandro (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, and implementation responsibilities as well as lead agency monitoring should be fully discussed for all proposed mitigation measures and the project's traffic mitigation fees should be specifically identified in the environmental document. Any required roadway improvements should be completed prior to issuance of project occupancy permits.

Traffic Impact Study

The environmental document should include an analysis of the impacts of the proposed project on State highway facilities in the vicinity of the project site, specifically operations on State Route 61 and ramp and mainline operations on Interstate 880. The Traffic Impact Study (TIS) should provide the information detailed below:

1. Information on the plan's traffic impacts in terms of trip generation, distribution, and assignment. The assumptions and methodologies used in compiling this information should be addressed. The study should clearly show the percentage of project trips assigned to State facilities.
2. Current Average Daily Traffic (ADT) and AM and PM peak hour volumes on all significantly affected streets, highway segments and intersections.
3. Schematic illustration and level of service (LOS) analysis for the following scenarios: 1) existing, 2) existing plus project, 3) cumulative and 4) cumulative plus project for the roadways and intersections in the project area.
4. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the State highway facilities being evaluated.

Ms. Sally Barros/City of San Leandro
August 5, 2013
Page 2

5. The procedures contained in the 2010 update of the Highway Capacity Manual should be used as a guide for the analysis. We also recommend using Caltrans' *Guide for the Preparation of Traffic Impact Studies*; it is available on the following web site:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

6. Mitigation measures should be identified where plan implementation is expected to have a significant impact. Mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.

We look forward to reviewing the TIS, including Technical Appendices, and environmental document for this project. Please send two copies to the address at the top of this letterhead, marked ATTN: Yatman Kwan, AICP, Mail Stop #10D.

Should you have any questions regarding this letter, please call Yatman Kwan, AICP of my staff at (510) 622-1670.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse



July 26, 2013

Sally Barros, Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: Comments on Notice of Preparation of a Draft Environmental Impact Report for San Leandro Shoreline Development Project

Dear Ms. Barros:

Thank you for the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report (EIR) for San Leandro Shoreline Development Project. I am pleased to see that the conceptual master plan envisions the future marina as a protected recreation area, suitable for use by persons using non-motorized small boats. Kayakers, canoeists, and stand up paddlers are likely to be attracted to the marina, which looks like it will provide many opportunities for family recreational outings.

I have the following comments on the scope and content of the EIR, on behalf of the Water Trail program and Coastal Conservancy:

- 1) City staff may find useful information in the *San Francisco Bay Area Water Trail Plan Final Environmental Impact Report* (March 2011), which programmatically addressed the potential impacts of growth in the use of non-motorized small boats on San Francisco Bay, as induced by implementation of the Water Trail program. This EIR is available at <http://scc.ca.gov/2010/07/30/san-francisco-bay-area-water-trail/>.
- 2) We are particularly interested in the planned small boat launch, kayak storage building, café/boat rental facility, and the aquatic center/dock. When City staff and consultants are at the point of needing feedback from the boating community on design options, you will be welcome to participate in a public Water Trail Implementation meeting at the Coastal Conservancy and give a short presentation.
- 3) As the Water Trail Planner and I commented at the July 18, 2013 public meeting, both long-term and short-term boat storage are highly desirable site amenities. Boaters may wish to arrive at the site by water and stay overnight at the new hotel and would need to secure their watercraft for the night. Other boaters may arrive by water and want to secure their watercraft for just a few hours while enjoying other amenities ~~that the site~~

1330 Broadway, 13th Floor
Oakland, California 94612-2512
510-286-1015 Fax: 510-286-0470



offers. Finally, others will want to arrive by public transportation or on foot or bicycle and retrieve their own watercraft from your onsite storage. We were pleased to see the boat drop-off area in your designs as well.

- 4) As also mentioned on July 18, the Water Trail program, when viewed in its entirety, must be accessible to persons with disabilities. To that end, with the expectation that the San Leandro Marina will become a designated Water Trail site, Water Trail staff and project collaborators encourage you to think about accessible design for your new boating amenities early in the design process. The Tidewater Boating Center (East Bay Regional Park District) provides an excellent, nearby model of accessibility. The Port of San Francisco plans to install accessible docks in the not-too-distant future, using a variety of different designs at Pier 52, Pier 39, and in the harbor at the Marina Green. Thus, there are regional examples to visit and those of us working on the Water Trail project will do all we can to help you find resources that could make your marina an excellent model of accessibility.

Thank you for consideration of our comments.

Sincerely,



Ann C. Buell
Project Manager
State Coastal Conservancy
1330 Broadway, Suite 1300
Oakland, CA 94612
Tel: (510) 286-0752
abuell@scc.ca.gov

From: Dave Campbell [mailto:dave.campbell62@gmail.com]
Sent: Wednesday, July 31, 2013 2:23 PM
To: Barros, Sally
Cc: Jim Townsend; Lee Huo
Subject: EBBC Comments on San Leandro Shoreline Development Project

Ms Barros

As part of the scoping process for the San Leandro Shoreline Development Project EIR, please study the issues of bike access on the roadways within the project and on Monarch Bay Drive, including a separated class 1 bikeway as part of the Bay Trail connecting it to Neptune Drive and the Bay trail at the southern end of Marina Bay Park. Also, please study improved bikeway connections from the western neighborhoods of San Leandro and the Bay Trail, on Faireay Dr and Marina Blvd, and as part of any possible mitigation measures, study upgrading the Bay Trail south of Marina Park to modern class 1 standards, particularly widening the Bay Trail, which is much needed as one travel south toward Hayward.

Thanks for including our input in the EIR process.

Dave Campbell
East Bay Bicycle Coalition
(o) 510.845.7433
(c) 510.701.5971
dave@ebbc.org



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

July 11, 2013

Sally Barros, Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Subject: Notice of Preparation for San Leandro Shoreline Development Project

Dear Ms. Barros,

East Bay Dischargers Authority staff has reviewed the Notice of Preparation for the San Leandro Shoreline Development Project and based on that information has the following comments. There are two locations shown on the conceptual Master Plan (figure 3) that are in conflict with the East Bay Dischargers Authority 48" Sanitary Sewer Force main that transports the City of San Leandro's final effluent flow to final discharge to the San Francisco Bay via the Marina Dechlorination Facility.

1. The location of the proposed Library/Community Building and parking lot.
2. The location of the proposed (46) 2-3 Story Live Work, (16) 2-3 Story Town Homes, and the 2 Story Retail along street edge.

In each case, the proposed projects appear to be constructed directly on top of the 48" sanitary sewer force main or within East Bay Dischargers Authority 60' easement.

In order for East Bay Dischargers Authority to operate and maintain, make emergency repairs when necessary and to complete capital improvements on the Force main, the Authority requires unrestricted access. Any project approval by East Bay Dischargers Authority would require the San Leandro Shoreline Development Project to mitigate for mentioned issues.

If you have any questions or require further information or details please don't hesitate to contact me at 510.278.5910

Sincerely,

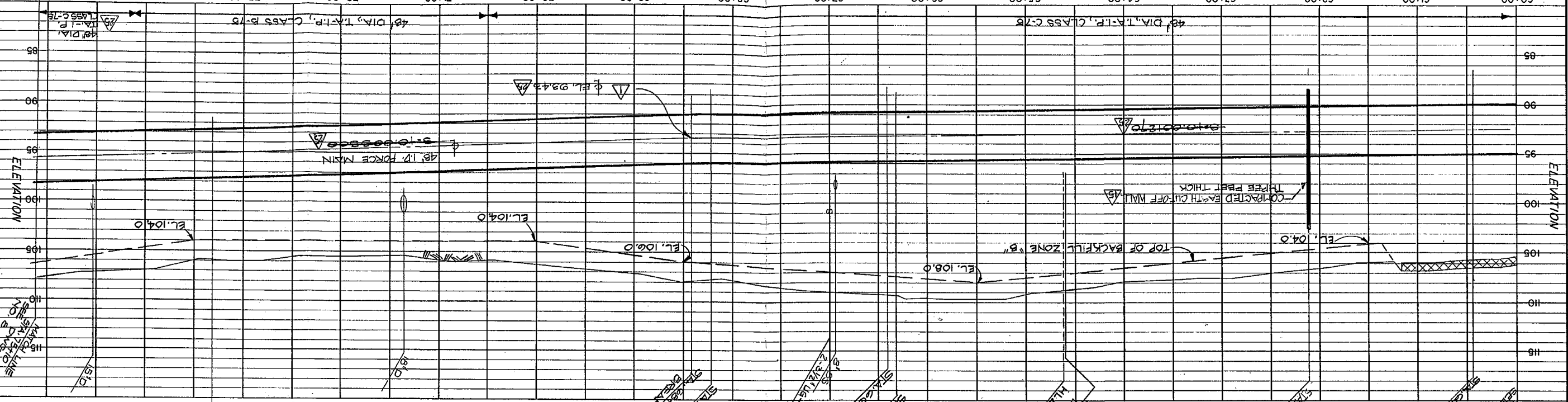
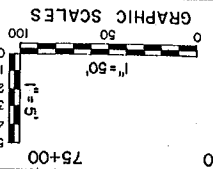
A handwritten signature in black ink that reads 'David C. Stoops'.

David Stoops
O&M Manager

NOTE: GRID IS BASED ON CALIFORNIA COORDINATE SYSTEM, ZONE 3.
 FIELD SURVEY CONTROL BY TOMMILL, INC.
 ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM 1929 ADJ.
 PLUS 100 FEET.
 DATE OF PHOTOGRAPHY: 1975
 TOMMILL, INC.
 CONSULTING ENGINEERS

PROFILE
 HORIZ. SCALE: 1" = 50'
 VERT. SCALE: 1" = 5'

CCO NO. 12
 CORRECTED FOR RECORD DRAWINGS
 CLEARIFICATION LETTER NO. 3
 CORRECTED TO INCLUDE REVIEW COMMENTS.



RECORD DRAWING

PLAN
 SCALE: 1" = 50'



FORCE MAIN BETWEEN SAN LEANDRO AND MARINA
 PLAN AND PROFILE
 STA. 60+00 TO STA. 75+10

EAST BAY DISCHARGERS AUTHORITY
 ALAMEDA COUNTY, CALIFORNIA
 WATER QUALITY MANAGEMENT PROGRAM - PHASE I
 KENNEDY ENGINEERS, INC.
 SAN FRANCISCO

DESIGN: MS, SS
 TRACED: WFC
 DATE: 6/21/72
 CHECKED: WFC
 FILE NO. 93-8
 SHEET 7

DWG. NO. AS SHOWN
 SCALE 6029
 JOB NO. 6029

7

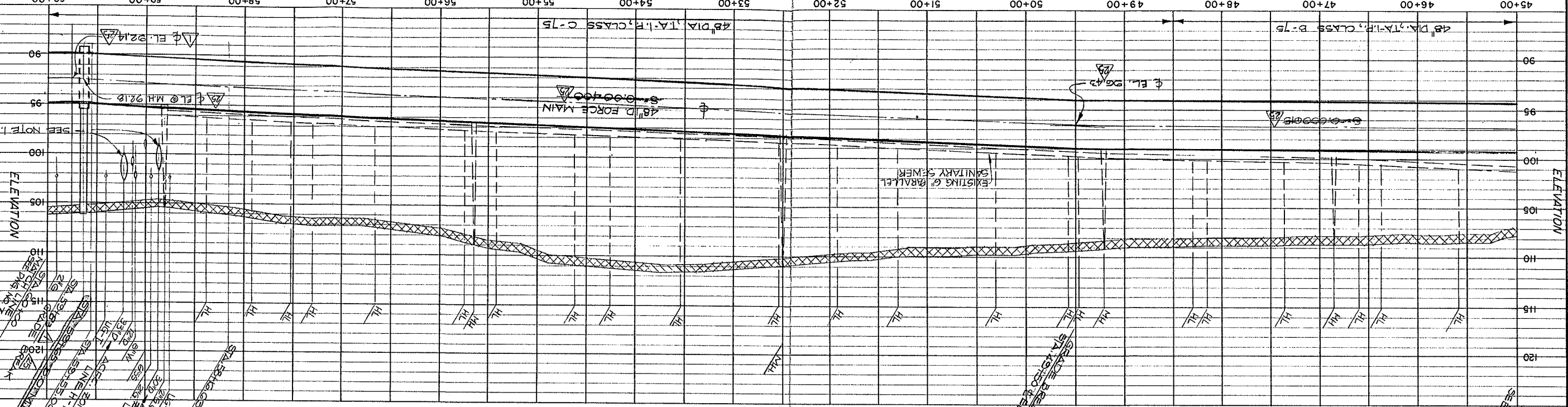
NOTE:
 1. THE CONTRACTOR SHALL MAINTAIN IN SERVICE DURING CONSTRUCTION THE EXISTING 30" & 33" STORM DRAIN LINES. THE CONTRACTOR SHALL SUBMIT FOR FAVORABLE REVIEW BY THE ENGINEER HIS PLAN OF CONSTRUCTION PROCEDURE AND SUPPORT STRUCTURE TO INSURE CONTINUOUS SERVICE DURING CONSTRUCTION.
 2. CORRECTED FOR RECORD DRAWINGS.
 3. CORRECTED TO INCLUDE REVIEW COMMENTS.

NOTE:

FIELD SURVEY CONTROL BY TOMWILL INC.
 ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM 1929 ADJ.
 PLUS 100 FEET
 DATE OF PHOTOGRAPHY: 1978
 TOMWILL, INC.

PROFILE
 HORIZ. SCALE: 1" = 50'
 VERT. SCALE: 1" = 5'

PROFILE



PLAN
 SCALE: 1" = 50'



6
 DWG. NO.
 AS SHOWN
 SCALE
 6029
 JOB NO.

FORCE MAIN BETWEEN SAN LEANDRO AND MARINA
 PLAN AND PROFILE
 STA. 45+00 TO STA. 60+00

EAST BAY DISCHARGERS AUTHORITY
 ALAMEDA COUNTY, CALIFORNIA
 WATER QUALITY MANAGEMENT PROGRAM - PHASE I
 KENNEDY ENGINEERS, INC.
 SAN FRANCISCO

DESIGN: WSS
 TRACED: EJA/ME
 CHECKED: WSS
 DATE: 6/26/73
 SUBMITTED: [Signature]
 APPROVED: [Signature]
 FILE NO. 55-7-9 SHEET 6

From: Edward Mejia-Sarate <edwardms@sbcglobal.net>
To: "sbarrros@sanleandro.org" <sbarrros@sanleandro.org>
Sent: Tuesday, August 6, 2013 2:20 AM
Subject: San Leandro Shoreline Development Project EIR

Dear Ms. Barros,

I feel that the City of San Leandro should EXTEND the deadline for the Public Scoping Period on the EIR since the City didn't:

A. use its local newspapers (San Leandro Times, Daily Review-Hayward area) to notify its citizenry of it. Yet; I did find an article in the Contra Costa Times (NOT a local paper, belonging to the Richmond/Concord area) regarding the Public Scoping Period for the EIR on August 2, 2013.

OR

B. use the U.S. Postal Service mail to notify its citizenry of it as required in the **National Environmental Policy Act (NEPA)**.

AND

C. that audio recording in the City's website of the City Councils meeting from July 18, 2013 wherein the Public Scoping Period on the EIR is discussed ONLY includes about 15 seconds of the meeting? So, the citizenry that couldn't attend the meeting has NO idea about the announcement of the Public Scoping Period on the Environmental Impact Report.

Also, did you know that only pages 1 and the last 3 pages (maps) of the Notice of Preparation for the Environmental Impact Report (EIR) are visible on the city's website? If this is in error then please fix it.

I wish for my comments on the San Leandro Shoreline Development Project EIR to be included as public input in any and all appropriate reports regarding the proposed development at the San Leandro Marina shoreline.

Sincerely and Appreciatively,

Edward Mejia-Sarate

2459 Fiji Way
San Leandro, CA 94577
510-351-4902

From: George Carson [mailto:miser14541@yahoo.com]
Sent: Wednesday, July 31, 2013 2:27 PM
To: Barros, Sally
Cc: Prola, Jim
Subject: San Leandro shoreline development project EIR

I applaud the efforts of the parties involved for addressing the long overdue improvements required at our Marina.

I am unable to support the existing plan for environmental reasons. See attached.

Also, I cannot support the plan for fiscal reasons. The timing is poor when considering the current economic situation. Needless to say, many opinions exist on this subject. But one thing has become abundantly clear during the last few years. the old tricks do not work. Throwing money at our problems only seems to have a placebo effect. Very little improvement is realized and we take on additional debt. Assuming more debt should only be considered under the most extreme threats to the peoples wellbeing. The importance of this approach cannot be ignored without subjecting the parties involved to claims of total fiscal irresponsibility. For the purpose of brevity, I will avoid listing my usual analogies as they relate to business and an individuals private life.

Do one thing every day that makes you happy.

Best wishes,

George Carson
14541 Maracaibo Rd.
San Leandro, CA 94577

p.s. Let me know if attachment does not function properly.

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Sent: Wednesday, July 31, 2013 2:27 PM
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Best wishes,

George Carson
14541 Maracaibo Rd.
San Leandro, CA 94577

p.s. Let me know if attachment does not function properly.

San Leandro Shoreline Development Project EIR

As a resident for over forty years, I have usually supported the work of our city planners. This project, on the other hand, requires additional scrutiny due to its profound influence on the environment and the financial future of our city.

Please accept this note as it is intended, without prejudice and/or blame on parties involved.

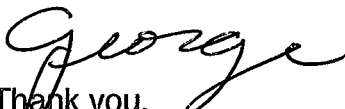
Project is ill-advised for the following reasons.

1. Environmental impact, not limited to the pollution of air, the bay and the surrounding land as well as noise due to traffic and congestion.
2. Plans do not appear to include consideration for our flora and fauna, improvements for dealing with future traffic load and probably more items that experienced environmental specialists will surely include in their reports to you.

We should not: Displace recreational areas for housing and commercial use.
Reduce Marina course to a pitch & putt course.
Create more vacant retail, commercial and/or office space.
Replace existing asphalt with more asphalt and concrete.
Rely on increased revenue to city as an important factor.

We should: Respect the promises of prior administrations.
Consider impact on other residents, landlords and merchants.
A.S.A.P. critically scrutinize this project and take our loses, if necessary, to ensure the best possible outcome for us and future generations.
(There is no emergency to justify the risks involved with existing plan)

I can furnish additional information and background if required for your consideration.


Thank you,
George Carson

JANET PALMA
2103 TWAIN CIRCLE
SAN LEANDRO, 94577
janetpalma@comcast.net

SCOPING COMMENTS FOR MARINA SHORELINE DEVELOPMENT EIR

GENERAL: I have disagreed with the entire process for this project from the start. The whole dredging issue was deliberately mismanaged by officials within San Leandro who did not care that one of our most important assets was being systematically destroyed. A quote from our current website states the following with the accompanying photograph:

San Leandro is a friendly and diverse city with a colorful heritage and numerous cultural amenities including a 450-berth Marina, two golf courses and a large community library.



Eliminating this marina will be the demise of a beautiful area in this city. The proposed development is quite short-sighted and despite informing City staff that BCDC would never allow the “islands” previously proposed and pitched to the advisory committee, staff continued to push this option until BCDC said no. They also stated that all development would need to be drawn back from the water, which seems to have moved the hotel right next to the existing Marina Inn effectively destroying their views. Once again we seem to have been relegated to the whims of the developer, CAL COAST, whom we have made a design/build agreement with.

At the Scoping Session, we were told that about 60% of the EIR budget was going to transportation studies. This must be a huge budget because there are numerous technical studies that should be conducted including, but not limited to: air quality/odors, biological effects, cultural resources, geological, hydrological, sea level rise and others.

A. AIR QUALITY – Along with the transportation and hydrology studies, a comprehensive air quality study is necessary to determine the level of odors that will result from allowing the marina to silt in. The stench alone could drive everyone away permanently from the area.

B. BIOLOGICAL RESOURCES – Clearly a comprehensive biological study is required considering water impacts as well as landside impacts to Monarch butterfly and other mammals and invertebrates.

C. CULTURAL RESOURCES – Is there reason to believe that there are artifacts of any kind buried that will be unearthed from construction?

D. CLIMATE CHANGE – What is the potential impact to any new development due to sea level rise? Who will pay for any future modifications that may be required to a seawall or other barrier that may be erected? Will this issue go the way of dredging as being unsustainable financially and therefore cause the future demise of the new development, forcing the City to pay the bill?

E. GEOLOGY AND SOILS – A thorough study needs to be done to determine the suitability of building more intensive development on what is probably landfill.

F. HYDROLOGY AND WATER QUALITY – What is the long-term effect of the siltation going to have on water quality for this area? Will the Regional Water Board, BCDC and Army Corps permit this development? Meetings should have been held years ago when the alternatives were first discussed and not wasted time convincing residents that plans were approvable when they were not.

G. LAND USE – Should there really be an amendment to allow this type of development here? Housing and offices? Where is the retail, which might at least have a chance at bringing some outside people to this area? Where is the Market Study to show that this area is desirable enough for these uses? We have tons of unused office space – why are we building more?

H. NOISE – Long-term noise impacts need to be evaluated – both for the current residents and for any future new residents and users.

I. POPULATION AND HOUSING – Interesting idea that we can justify more housing down in this area to pencil out for the developer, but somehow all the TOD housing by the BART station has fallen away, which clearly makes more sense. How are these people going to get to public transportation? Are they going to pay for a shuttle or is the City going to provide them special services? What is the real need for housing here except to satisfy the developer?

J. TRANSPORTATION AND TRAFFIC – Goes without saying that there is one road along the waterfront and traffic will be a nightmare. Are there plans for limiting parking that would make it even harder for users other than workers and new residents to utilize the area for recreation? What is the comprehensive long-term plan for parking, traffic and transportation? Shuttles? Structured parking?

K. UTILITIES AND SERVICE SYSTEMS – What is the long-term impact of all this “NEW” development going to have on schools, parks, police, fire, etc? Why was there no consideration

of putting some alternative energy system in this area – solar, wind? When it was suggested to City staff, it was turned down as infeasible without any study.

L. ALTERNATIVES – Last, but not least, we need to see a comprehensive review of the project alternative with the “LEAST ENVIRONMENTALLY DAMAGING IMPACT”. Not the one that the developer or interested parties want, but the best project that will have the least environmental impact. All possible alternatives should be analyzed, not just the ones that were dismissed by the advisory committee and/or the BCDC. Marinas are notoriously not financially self-sustainable. This had to be known when the San Leandro Marina was created in the first place. Who thought that dredging would be free or cheap forever? Why was the future for dredging never planned for? We the citizens deserve to have a clear, honest and comprehensive discussion of the history of this marina and how it got to be that no money or business plans were put into place to keep the marina operating in the long-term.

From: Jeff H [mailto:sulphurbuckwheat@gmail.com]
Sent: Friday, August 02, 2013 2:09 PM
To: Barros, Sally
Cc: Prola, Jim
Subject: San Leandro Shoreline Development Project NOP

Dear Sally,

Please include discussion of the San Leandro Dredge Disposal Site in this EIR. If dredging is discontinued at the marina, what impact will that have on the shorebird habitat at the Dredge Disposal Site?

Regards,
Jeff Houston
510-697-4796
Member of Shoreline Citizens Advisory Committee

From: Larry Velasco [mailto:lavandlmv@gmail.com]
Sent: Saturday, July 13, 2013 9:39 AM
To: Barros, Sally
Subject: NOP

Dear Ms. Barros,

I have been a resident in San Leandro from 1946 until 1964 when I was married. Then move away for a while, coming back when I purchased a home near the one I grew up in. I lived there for four more years, then my wife and I purchased a home in Fremont, CA. I got remarried to a woman who owns property on Fairway Dr., in the affected area of this new project. I have a couple of concerns. One is, the impact of new dwellings being built for residential use. Two, the use by people out of the area of the new facilities. I have seen San Leandro go from a great City with good people living there, to a not so good one with all kinds of criminal activities going on. No, the progress has not enhanced things, it has destroyed things. It's not just an opinion. Look at San Leandro High School for example. I went there one year while waiting for Pacific High School to be built. It is NOTHING like it was before. I don't have to mention WHY. The proof is evident and can not be denied. No, I am not, prejudice. I happen to be exactly half Spanish. Anyway, the last thing that bothers me is the total removal of the Marina's slips, as we used to keep our boat there. I understand the costs of dredging but it's a shame to have it gone. I feel the residential units will cause an overload of traffic and people in that area.

Oh, the other thing is the timing of your letter to us. We received it on the ninth of July. You sent it the fifth. The meeting is on the 18th of July. This gave us only nine days to make arrangements to travel to the Bay Area to be at the meeting, which I would liked to have attended. Finally, since we are tax payers to the City of San Leandro, do we have a vote on things that go on there, or do you have to reside there??

Thank you for your time,

Lawrence (Larry) A. Velasco
LaVerne M. Velasco Placerville, CA.



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mleifer@ptwww.com

REFER TO FILE NO.
36883-000

ANGELO J. PALMIERI (1926-1998)
ROBERT F. WALDRON (1927-1998)

ALAN H. WIENER*	DONNA L. SNOW
MICHAEL J. GREENE*	RYAN M. EASTER
DENNIS W. GHAN*	ELISE M. KERN
DAVID D. PARR*	MELISA R. PEREZ
CHARLES H. KANTER*	MICHAEL I. KEHOE
PATRICK A. HENNESSEY	CHADWICK C. BUNCH
DON FISHER	ANISH J. BANKER
GREGORY N. WEILER	RYAN M. PRAGER
WARREN A. WILLIAMS	BLAINE M. SEARLE
JOHN R. LISTER	JERAD BELTZ
MICHAEL H. LEIFER	ERIN BALSARA NADERI
SCOTT R. CARPENTER	ERICA M. SOROSKY
RICHARD A. SALUS	PETER MOSLEH
NORMAN J. RODICH	JOSHUA J. MARX
RONALD M. COLE	ERIN K. OYAMA
MICHAEL L. D'ANGELO	STEVEN R. GUESS
STEPHEN A. SCHECK	

MICHAEL C. CHO, OF COUNSEL
ROBERT C. IHRKE OF COUNSEL
JAMES E. WILHELM, OF COUNSEL
DENNIS G. TYLER*, RETIRED
*A PROFESSIONAL CORPORATION

VIA E-MAIL & U.S. MAIL

Cynthia Battenberg
Business Development Manager, City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: The Marina Inn, 68 Monarch Bay, San Leandro, CA 94577

Dear Ms. Battenberg:

We represent The Marina Inn.

We would like to obtain some information regarding the Shoreline Development Project.

Specifically, currently, at what point in the CEQA/EIR process is the Shoreline Development Project in?

What alternatives are being considered in the EIR?

How do the alternatives impact The Marina Inn?

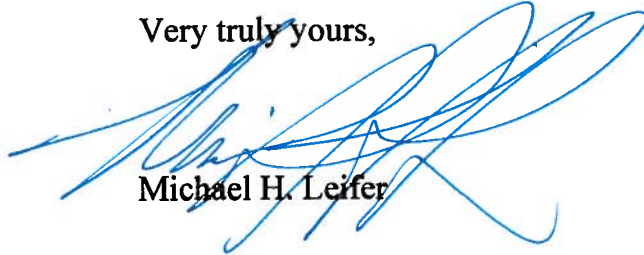
Why are we not getting information and updates regarding the process?

We believe that the Shoreline Development Project will have an impact on The Marina Inn. As such, we would like to request that we be kept updated throughout the process.

Cynthia Battenberg
July 26, 2013
Page 2

I look forward to your response. Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael H. Leifer", is written over the typed name. The signature is fluid and cursive.

Michael H. Leifer

MHL:ebn

cc: client



PALMIERI, TYLER, WIENER, WILHELM & WALDRON

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JAMES E. WILHELM, OF COUNSEL

DENNIS G. TYLER*, RETIRED

*A PROFESSIONAL CORPORATION

August 2, 2013

VIA E-MAIL & U.S. MAIL

Sally Barros, Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: San Leandro Shoreline Development Project EIR -- Public Scoping
Comment Letter

Dear Ms. Barros:

This office represents The Marina Inn located at 68 Monarch Bay, San Leandro, CA 94577. We submit this letter on behalf of The Marina Inn related to the public scoping period for the Shoreline Development Project Environmental Impact Report.

1. **The Marina Inn has been informed by senior City staff that the location of components of the Shoreline Development Project are already set. Nearly at the same time, senior staff has informed that there is no set location.**

As a result, this process is looking like a sham from the start.

The EIR process and decision is supposed to emanate from a fair and unbiased consideration of various project alternatives, including a no-project alternative.

Sally Barros, Senior Planner
August 2, 2013
Page 2

When an EIR is prepared, the lead agency must certify that it was completed in compliance with CEQA and that the information in the EIR was presented and considered before the decision was made. (14 Cal Code Regs § 15090.)

Here, we are being informed that the decision, as to important components as they relate to the Marina Inn, have been set. In fact, that was confirmed to The Marina Inn by Community Development Director, Cynthia Battenberg.

At the public scoping meeting that was held on July 18, 2013, Audrey Velasquez, the General Manager of The Marina Inn and a resident in the area, objected to and commented upon the location of a hotel that is proposed as part of the Shoreline Development Project. Ms. Velasquez expressed concern about the proposed location of the hotel and the impacts it would have on The Marina Inn. Among other things, Ms. Velasquez expressed concern about the views from the Marina Inn.

In response, Ms. Battenberg followed-up with Ms. Velasquez via email providing a "history" of the approval of the location for the proposed hotel. Ms. Battenberg also met briefly with Ms. Velasquez to reiterate the approval of the location of the hotel. Ms. Battenberg's assertions indicate that the location of the proposed hotel was set, approved and would not be changed.

Based upon this fundamental issue, the City is incapable of conducting a fair and impartial EIR process, considering various project alternatives and only approving a project alternative after full consideration of the information in the EIR.

2. **The EIR should consider alternatives of eliminating or moving the 200-225 room conference hotel.**

Director Battenberg states that the current location of the hotel component of the 200-225 room conference hotel is directly in front of The Marina Inn. Construction and operation from that location negatively impacts the Marina Inn in a myriad of ways. These impacts include: views, noise, traffic, and numerous other environmental issues. Elimination of the 200-225 room conference hotel must be considered.

Sally Barros, Senior Planner
August 2, 2013
Page 3

3. **The EIR should properly consider the view and visual impacts caused by the project, especially the visual impacts to The Marina Inn caused by the 200-225 room conference hotel.**

The Marina Inn is very concerned about the Shoreline Development Project's visual impacts to The Marina Inn.

Currently, The Marina Inn enjoys a view of the Marina and the San Francisco Bay. The west facing views give the Marina Inn sunset views year around. On higher floors of the hotel, you see more and more of the San Francisco Bay and out to the skyline of the City of San Francisco. At night, the beautiful lights of the San Francisco skyline are visible from the Marina Inn.

It is imperative that the EIR consider the impact the proposed project alternatives would have on the view from The Marina Inn--specifically the current location for the proposed conference hotel which is to be located directly across the Marina from The Marina Inn, blocking the aforementioned view.

4. **Other areas of concern to be considered and analyzed in the EIR.**

In addition to the above, the Marina Inn requests that the EIR review, analyze and consider the following:

- **Noise:** The noise impacts both during and after construction of the Shoreline Development Project, especially the noise impacts to The Marina Inn. The Marina Inn is concerned that Project construction will be very noisy, will disturb the guests of the Marina Inn and
- **Air Quality:** The impacts to the air quality both during and after construction should be property considered. The Marina Inn is concerned that Project construction will create a lot of dust that will be detrimental to The Marina Inn and its business operations.
- **Traffic:** The Shoreline Development Project is proposing to greatly intensify the development and use in the Marina area. The area already has significant traffic issues with vehicular back-ups. Construction and ultimate use by the proposed intense Shoreline Development Project will have a negative impact on traffic in the area. That will, in turn, impact

Sally Barros, Senior Planner
August 2, 2013
Page 4

pedestrian traffic in the area. The vehicular and pedestrian impacts must be properly analyzed.

- **Access By Emergency Vehicles and Personnel:** In conjunction with the traffic issues both during and after construction, The Marina Inn is concerned about the ability of emergency vehicles (fire, police, ambulance) to access the area.
- **Parking:** The Shoreline Development Project proposes an intense use. Parking will be a concern and should be properly reviewed and considered.
- **Light Reflections/Building Shadows:** It is unclear what type of building material will be used for the various buildings proposed to be developed in the Shoreline Development Project. The impacts from the reflective surfaces of the proposed buildings on The Marina Inn needs to be studied. Building shadows must be considered.
- **Wildlife:** The Marina Inn is concerned about the impact of this Project on the wild life including, but not limited to, the sea lions and monarch butterflies.

The Marina Inn is concerned that the Project proposes work in The Marina (including placing pylons in the water) that will negatively impact the sea lions in that area.

Currently, the monarch butterflies visit each year at the current golf course. The Project proposes to move a number of the holes at the golf course in order to build residential. The Marina Inn is concerned about the impact that will have on the monarch butterflies.

- **Water Quality:** The Marina Inn is also concerned about the proposed removal of boat docks in the Marina. The Marina Inn is concerned that such removal will cause a build-up of silt in the Marina. That will cause the Marina to become muddy and have a foul odor. There are also additional concerns relating to run-off and trash/pollution in the Marina, and particularly containment of construction materials and run-off.

Sally Barros, Senior Planner
August 2, 2013
Page 5

- **Aeration Fountain:** The proposed Aeration Fountain is a great concern to The Marina Inn. Obviously, it is very artificial in appearance. We understand that it is also very large. It will undoubtedly have a negative impact on The Marina Inn's view. Further, it is anticipated that the Aeration Fountain will have a foul odor that will negatively impact The Marina Inn. The impacts from the Aeration Fountain should be properly analyzed.
- **Construction Phasing and Staging:** Based on the size of the proposed Shoreline Development Project, it is anticipated that The Marina Inn and greater area would be located in a construction zone for a number of years.
- **Bird Population Increase and Impact on Oakland Airport Flight Path:** The change in the Marina, specifically the creation of a marsh-like area with reeds, etc., will cause an increase in the bird population in the Marina area. That is an important issue to be reviewed and analyzed considering the proximity to Oakland Airport and the flight path to (and sometimes from) Oakland Airport.

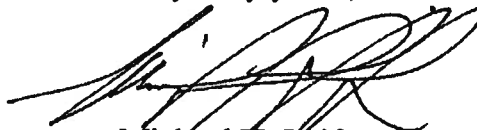
5. **Conclusion.**

The Marina Inn requests that the project alternatives considered in the EIR include a project alternative that either removes the 200-225 conference hotel from its current location directly in front of The Marina Inn, or moves the 200-225 conference hotel to a location that does not negatively impact the view from The Marina Inn.

The Marina Inn further requests that the above concerns be addressed in the EIR.

Thank you.

Very truly yours,



Michael H. Leifer

cc: Cynthia Battenberg
client

From: Maureen Forney [mailto:mforney2870@outlook.com]

Sent: Tuesday, August 06, 2013 10:46 AM

To: Barros, Sally

Cc: Lynda Hornada; Diana Prola; Gregory, Michael; Gregory, Michael; winton431@aol.com; Prola, Jim; lpollard@sanleandro.k12.ca.us; Jacob Clark

Subject: RE: Shoreline Notice of Preparation

Dear Ms. Barros,

I am writing to you as a resident of San Leandro and frequent user of the Marina area for recreation and school activities. I am a teacher at Garfield Elementary School and a site representative for the SLTA. However, I have not been able to contact my school site or SLTA leadership to authorize my comments on behalf of either. Therefore, my comments are my own.

Please address these items in the EIR:

- Monarch butterfly habitat: The golf course has been noted as winter habitat for this species for decades. The City of San Leandro has employed staff to lead tours of same. The housing and housing-over-retail components of this Marina Shoreline Project will modify this habitat and construction will effect them.
- Migratory species: The Marina area is home to many waterfowl.
- SLUSD enrollment: Garfield School will experience an increase in enrollment, as will John Muir Middle School
- Traffic and pedestrian safety: I am a member of the San Leandro BPAC. The Master Plan will need to address the increase in traffic and its impacts on pedestrian safety. Garfield students cross at Marina at Aurora. This intersection is problematic with current traffic flow The EIR needs to address this item.
- Impact on the San Francisco Bay Trail and the East Bay Regional Parks.

I welcome the opportunity to ask for these items to be included in the EIR. I am attending the CTA Summer Institute at UCLA this week and am quickly sending this to you during a brief presentation break. The Notice of Preparation has been forwarded to SLUSD administrators. I hope that they will have an opportunity to add their items of concern. This is a challenge as our summer breaks come to an end.

Respectfully yours,

Maureen Forney
941 Bridge Road
San Leandro, CA 94577
mforney2870@outlook.com

510-999-1023

Go outside...and play!



August 2, 2013

Ms. Sally Barros
Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

via email SBarros@sanleandro.org

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Proposed San Leandro Shoreline Development Project

Dear Ms. Barros,

The Port of Oakland (Port) appreciates the opportunity to provide comments on the City of San Leandro's (City) NOP of a DEIR for the proposed development project in the 1,800 acre Shoreline Area. As stated in the construction phasing section of the NOP, the City has subdivided the project area into three Phases: Phase 1 includes up to 98 new residential units, and a 200 room hotel, and Phase 2 includes up to 70 new residential units; Phase 3 does not include residential units. The development project is proposed as an integrated master planned development and a public/private partnership on 52 acres of the City-owned marina.

The Port understands that the City plans to distribute a DEIR for public review in Spring 2014, and to certify the EIR in Fall 2014. The Port offers these comments as the owner and operator of Oakland International Airport (OAK).

1. Airport operations regularly result in over-flights in residential areas proposed in the development project, especially over the City's Shoreline Area. Consideration should be given to sound insulation and avigation easements in this area, and the need to disclose the potential for low-flying aircraft during property sale disclosures. A noise analysis is recommended for the following four flight procedures:
 - Runway 29 Approaches
 - Runway 29 Departures
 - Runway 11 Departures
 - Runway 09R Night-time Departures

2. The Port and the City of San Leandro entered into a Settlement Agreement on November 7, 2000, and entered into two amendments to the Settlement Agreement on July 22, 2003, and December 16, 2004 respectively. These Agreements should be reviewed for conditions related to development in the vicinity of OAK. For example, sound insulation was required for residents in up to 200 homes in the Davis West, Timothy Drive and Neptune Drive areas; housing in the proposed project is closer to

- the Port's main runway (Runway 29) than many of the homes designated for sound insulation.
3. The Project Area is within the Airport Influence Area defined by the Alameda County Airport Land Use Commission (ALUC) based on political boundaries, noise contours, and flight tracks. As specified in ALUC's *Oakland International Airport Land use Compatibility Plan (December 2010)*, the ALUC is authorized to review the City's DEIR for noise and safety compatibility, airspace protection, and aircraft over-flights. Please include an analysis of noise and safety compatibility, airspace protection and aircraft over-flights, and provide to the ALUC for their review.
 4. OAK is known for its reliability and convenient access. The DEIR should analyze the potential impacts of the proposed project on 3 of 4 of OAK's main access roads: Hegenberger Road, 98th Avenue, and Doolittle Drive.

Thank you for the opportunity to comment on the DEIR. I look forward to discussing these issues sooner rather than later with the project applicant, Cal Coast Development, and the CEQA consultant. If you have any questions, please contact me at (510) 627-1759 or dheinze@portoakland.com

Sincerely,

Diane Heinze
Environmental Assessment Supervisor
Division of Environmental Programs and Planning

Cc: Richard Sinkoff, Director, Division of Environmental Programs and Planning
Deborah Ale-Flint, Director, Aviation Division
Susan Fizzell, Environmental Planner, Airport Noise and Environmental Affairs
Joshua Safran, Port attorney

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
SAN FRANCISCO, CA 94102
(415) 703-1815



NOP
6/5/13
r

RECEIVED

AUG 01 2013

August 1, 2013

Sally Barros
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

STATE CLEARING HOUSE

Dear Ms. Barros:

Re: SCH 2013072011 San Leandro Shoreline Development Project NOP

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings Engineering Section (RCES) is in receipt of the Notice of Preparation for the proposed City of San Leandro (City) Shoreline Development Project.

The project area is within the proximity of active railroad tracks. RCES recommends that the City add language to the Shoreline Development Plan so that any future development adjacent to or near the railroad/light rail right-of-way (ROW) is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.

If you have any questions in this matter, please contact me at (415) 703-1815, sm4@cpuc.ca.gov.

Sincerely,

Sia Mozaffari
Utilities Engineer
Rail Crossings Engineering Section
Safety and Enforcement Division

C: State Clearinghouse



August 1, 2013

Sally Barros
Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

SUBJECT: Comments on the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (DEIR) for the San Leandro Shoreline Development Project

Dear Ms. Barros,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (DEIR) for the San Leandro Shoreline Development Project.

The project is located in the San Leandro Shoreline Area, which encompasses approximately 1,800 acres of land situated on the eastern shore of the San Francisco Bay at the western end of Marina Boulevard. The proposed development site, totaling roughly 52 acres of land, plus a water surface area of approximately 23 acres, is the area generally west of Monarch Bay Drive between Marina Boulevard and Fairway Drive.

The San Leandro Shoreline Development Project is proposed as an integrated master planned development and a public/private partnership with the City on 52 acres of the City-owned marina. The proposed components of the Project include:

- 250,000 square foot office campus
- 220-225 room hotel
- 15,000 square foot conference center
- 188 units of housing (townhomes, live-work, single-family detached, flats)
- 3 new restaurants (totaling 21,000 square feet)
- 40,000 square feet of mixed use office/retail
- Library/Community building
- Parking structure.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

- The City of San Leandro adopted Resolution No. 92-260 on September 8, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). It appears that the proposed project will generate at least 100 p.m. peak hour trips over existing conditions, and therefore the CMP Land Use Analysis Program requires the City to conduct a traffic analysis of the project

using the Countywide Transportation Demand Model. The analysis should study conditions in years 2020 and 2035. Please note the following paragraph as it discusses the responsibility for modeling.

- The CMP was amended on March 26th, 1998 so that local jurisdictions are responsible for conducting travel model runs themselves or through a consultant. The Alameda CTC has a Countywide Travel Demand model that is available for this purpose. The City of San Leandro and the Alameda CTC signed a Countywide Model Agreement on April 1, 2008. Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request.

The most current version of the Alameda CTC Countywide Travel Demand Model is the August 2011 update, which incorporates the Association of Bay Area Government's Projections 2009 land use assumptions.

- The DEIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway and transit systems. MTS roadway facilities in the project area include Interstate 880 and Doolittle Drive (SR-61) MTS transit operators include BART and AC Transit.
 - Potential impacts of the project must be addressed for 2020 and 2035 conditions.
 - Please note that the Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2011 CMP for more information).
 - For the purposes of CMP Land Use Analysis, 2000 Highway Capacity Manual is used to study impacts on roadway segments.
- The adequacy of any project mitigation measures should be discussed. On February 25, 1993, the Alameda County Congestion Management Agency (predecessor to the Alameda CTC) Board adopted three criteria for evaluating the adequacy of DEIR project mitigation measures:
 - Project mitigation measures must be adequate to sustain CMP service standards for roadways and transit;
 - Project mitigation measures must be fully funded to be considered adequate;
 - Project mitigation measures that rely on state or federal funds directed by or influenced by the CMA must be consistent with the project funding priorities established in the Capital Improvement Program (CIP) section of the CMP or the Regional Transportation Plan (RTP).

The DEIR should include a discussion of the adequacy of proposed mitigation measure criteria discussed above. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on LOS if only the funded portions of these projects were assumed to be built prior to project completion.

- Potential impacts of the project on CMP transit levels of service must be analyzed. (See 2011 CMP, Chapter 4). Transit service standards are 15-30 minute headways for bus service and 3.75-15 minute headways for BART during peak hours. The DEIR should address the issue of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.
- The DEIR should also consider Travel Demand Management (TDM) related strategies that are designed to reduce the need for new roadway facilities over the long term and to make the most efficient use of existing facilities (see 2011 CMP, Chapter 5). The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. The Site Design Guidelines Checklist may be useful during the review of the development proposal. A copy of the checklist is enclosed.
- The DEIR should consider opportunities to promote countywide bicycle and pedestrian routes and areas identified in the Alameda Countywide Bicycle and Pedestrian Plans, which were approved in October 2012. The approved Countywide Bike Plan and Pedestrian Plan are available at http://www.alamedactc.org/app_pages/view/5275. The Project Area is near proposed segments of the Countywide Bicycle Network on the Bay Trail and Doolittle Drive. The DEIR should explore whether there are synergies between implementation of these segments and other infrastructure improvements needed to support the Shoreline Development Area. Implementation of these segments could also help to mitigate Project vehicle traffic.
- For projects adjacent to state roadway facilities, the analysis should address noise impacts of the project. If the analysis finds an impact, then mitigation measures (i.e., soundwalls) should be incorporated as part of the conditions of approval of the proposed project. It should not be assumed that federal or state funding is available.
- Local jurisdictions are encouraged to consider a comprehensive Transit Oriented Development (TOD) Program, including environmentally clearing all access improvements necessary to support TOD development as part of the environmental documentation.

Thank you for the opportunity to comment on this Notice of Preparation. Please do not hesitate to contact me at (510) 208-7405 or Matthew Bomberg of my staff at (510) 208-7444 if you require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Bomberg for".

Beth Walukas
Deputy Director of Planning

Cc: Matthew Bomberg, Assistant Transportation Planner
File: CMP – Environmental Review Opinions – Responses - 2013



July 30, 2013

Sally Barros
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: Notice of Preparation for San Leandro Shoreline Development Project

Dear Ms. Barros,

We are writing in response to the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the City of San Leandro's consideration of the proposed San Leandro Shoreline Development Project (the Project).

The 1,800 acre San Leandro Shoreline Area is an important asset along the San Francisco Bay shoreline and a valuable open space resource for San Leandro and Bay Area residents alike, of which the existing marina is a key feature. Built on Bay fill, the transformation of the marina area represents a unique opportunity to enhance residents' connection with the Bay, as well as provide improved habitat for the more than 500 wildlife species that call San Francisco Bay home.

Absent a specific development application submitted to the City, this NOP provides inadequate information to meet the minimum standards for the California Environmental Quality Act's requirements to provide more than vague concepts at the outset on an EIR process. The NOP fails to define any Project Objectives for this proposal, thus denying the public and responsible agencies the opportunity to effectively identify impacts and evaluate reasonable alternatives to the Project.

The NOP fails to identify any potential environmental issues that the City of San Leandro is considering studying as part of its Environmental Impact Report, instead merely listing 14 state-mandated categories of review. An NOP must provide the responsible and trustee agencies with sufficient information concerning the project and its potential environmental effects to enable them to make a "meaningful response" (Cal Code Regs §15082(a)(1)). At a minimum, the notice must contain not only a description of the project and the location of the project, but the project's "probable environmental impacts."

To meet CEQA's legal requirements, the City of San Leandro should withdraw this NOP and reissue one that clearly defines project objectives, details probable environmental impacts, and is based on a developer application. Should the City fail to reissue an adequate NOP, we submit the following comments, based on the inadequate information that has been provided to date.

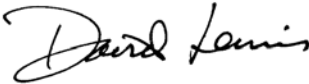
Issues we expect the City to explore in depth in the Draft EIR include but are not limited to:

- The quantity, locations and origins of any fill proposed to be placed in San Francisco Bay, for such purposes including but not limited to: new piers, new docks, steps, and the proposed “perched beach,” as well as any mitigation proposed for this fill
- The desired type of habitat intended to be created by the proposed “enhanced natural shoreline” areas, including what materials will be used, how it will be maintained, which Bay wildlife species are intended to benefit from the creation of these new features, and whether these areas are intended as mitigation for any fill or other environmental impacts caused by the Project
- Any water quality impacts from the creation of significant impervious surfaces along the Bay shoreline, and any plans to avoid, reduce and/or mitigate those impacts
- How the Project will adapt to sea level rise, including during storm surges and high tide events. We expect the Draft EIR to identify an expected lifetime for the Project, as well as whether the elevation of the marina will need to be raised, by how much, and how the applicant intends to preserve public access for the life of the project, as required by the Bay Conservation and Development Commission’s Bay Plan
- All Alternatives that the City is considering studying, including any alternatives that may increase publically accessible open space on the property, limit flood hazard and safety risks from sea level rise, increase wildlife habitat and otherwise enhance residents’ access to and enjoyment of the Bay.

As the City moves forward with further review of this proposal, it must ensure that the EIR fully complies with the California Environmental Quality Act with a comprehensive and detailed evaluation of all of the Shoreline Development Project’s potential environmental impacts, a clear articulation of Project Objectives, and a “reasonable range of alternatives to the project” [*Goleta II*, 52 Cal. 3d 553, 566 (1990); Pub. Resources Code, §21100 b)(4)], including alternatives that would substantially lessen the significant effects of the Project [CEQA Guidelines, § 15126.6, subd. (f)(2)(A)].

Thank you for your consideration of our comments. For additional questions, please contact Josh Sonnenfeld, Campaign Manager with Save The Bay at josh@saveSFbay.org or 510-463-6823.

Sincerely,



David Lewis
Executive Director

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

Our 75th Year



1938 - 2013

JENNIFER LUCCHESI, *Executive Officer*
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1900
Contact Fax: (916) 574-1885

August 8, 2013

File Ref: SCH # 2013072011

Sally Barros
Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

**Subject: Notice of Preparation (NOP) for an Environmental Impact Report (EIR)
for San Leandro Shoreline Development Project, Alameda County**

Dear Ms. Barros:

The California State Lands Commission (CSLC) staff has reviewed the subject NOP for an EIR for the San Leandro Shoreline Development Project (Project), which is being prepared by the City of San Leandro (City). The City, as a public agency authorizing and carrying out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency because of its trust responsibility for projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters. Additionally, if the Project involves work on sovereign lands, the CSLC will act as a responsible agency.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership

extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

CSLC staff is continuing to review in-house records and maps; however, upon initial review it appears the San Leandro Marina Harbor Basin site is located within various unfilled, partially filled, filled and sold Board of Tideland Commissioners (BTLC) lots located within sections 3, 4, 9, and 10, T3S, R3W, MDM, and a portion of Mulford Canal (identified as Assessor Parcel Number 80G-0900-004-01) which at this location was originally surveyed as Tideland Survey 99 but was sold under a BTLC private sale to Thomas W. Mulford on December 27, 1871. Pursuant to the court's holding in *City of Berkeley v. Superior Court*, 26 Cal. 3d 515, any BTLC lands which remained submerged or subject to tidal action as of February 22, 1980, are subject to a Public Trust easement retained by the State. Under current practice, CSLC authorization is not required for use of lands underlying the State's Public Trust easement.

The uplands at this location are located within lands the State acquired and patented as Swamp and Overflow Lands Survey 140, 208, and 222 and Rancho San Leandro. Ranchos, including Rancho San Leandro, were confirmed into private ownership and patented by the Federal government on April 4, 1860, and July 1, 1863 respectively. The State is precluded from asserting that it acquired sovereign title interests by virtue of its admission to the United States in 1850 pursuant to the holdings in Summa Corporation v. California 466 U.S. 198 (1984).

The San Leandro Marina Harbor Basin is located adjacent to lands originally granted to the City of San Leandro pursuant to Chapter 685, Statutes of 1959. However said grant reverted to the State on August 21, 1975, and is currently leased to the City of San Leandro. Please see the enclosed map to indicate the lease area. Upon initial review, it appears that no lease is required for this Project, because the Project occurs within the BTLC lands, the uplands, and the current lease area with the City.

This determination is without prejudice to any future assertion of State ownership or public rights, should circumstances changes, or should additional information come to our attention. In addition, this letter is not intended, nor should it be construed as, a waiver or limitation of any right, title, or interest of the State of California in any lands under its jurisdiction.

Project Description

The City proposes to prepare an integrated master plan for the development and enter into a public/private partnership for the Project. The Project occurs on 52 acres of City-owned property, including a marina. From the Project Description, CSLC staff understands that the Project would include the following components:

- Removal of structures (wood and concrete docks and associated piers, riprap along the interior of the harbor, a 466-slip harbor, harbor master's office, fuel dock, and selected public and private restrooms);

- Construction of new facilities relating to public-trust consistent uses (aquatic center and dock, perched beach, pedestrian piers, 2 miles of public promenade, small lookout piers, small boat launch, kayak storage building, and aeration fountain to aid water circulation).

Environmental Review

CSLC staff submits the following comments in its capacity as a trustee agency pursuant to State CEQA Guidelines section 15386, and requests that the following potential impacts be analyzed in the EIR.

General Comments

1. Project Description: A thorough and complete Project Description should be included in the EIR in order to facilitate meaningful environmental review of potential impacts, mitigation measures, and alternatives. The Project Description should be as precise as possible in describing the details of all allowable activities (e.g., types of equipment or methods that may be used, maximum area of impact or volume of sediment removed or disturbed, seasonal work windows, locations for material disposal, etc.), as well as the details of the timing and length of activities. Thorough descriptions will facilitate CSLC staff's determination of the extent and locations of its leasing jurisdiction, make for a more robust analysis of the work that may be performed, and minimize the potential for subsequent environmental analysis to be required.
2. Public Trust Lands: As mentioned above, some of the lands used as part of this Project are subject to the State's Public Trust easement, structures proposed for construction on these lands should be consistent with the Public Trust Doctrine. In addition, the EIR for the Project should assess the any potentially significant impacts to the surrounding public trust lands from the development and increased public use resulting from Project construction, for example the anticipated construction of a 200-room hotel and 168 housing units in the Project area. In particular, the EIR should evaluate both direct and indirect effects related to the intensity of these development activities adjacent to tidal wetlands and waterways.

Biological Resources

3. Special-Status Species: The EIR should disclose and analyze all potentially significant effects on sensitive species and habitats in and around the Project area, including special-status wildlife, fish, and plants, and if appropriate, identify feasible mitigation measures to reduce those impacts. The City should conduct queries of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) and U.S. Fish and Wildlife Service's (USFWS) Special Status Species Database to identify any special-status plant or wildlife species that may occur in the Project area. In addition, the City should consult with CDFW and USFWS staff to ensure that impacts to special-status species are fully considered. The EIR should also include a discussion of consultation with the CDFW and USFWS, including any recommended mitigation measures and potentially required permits identified by these agencies.

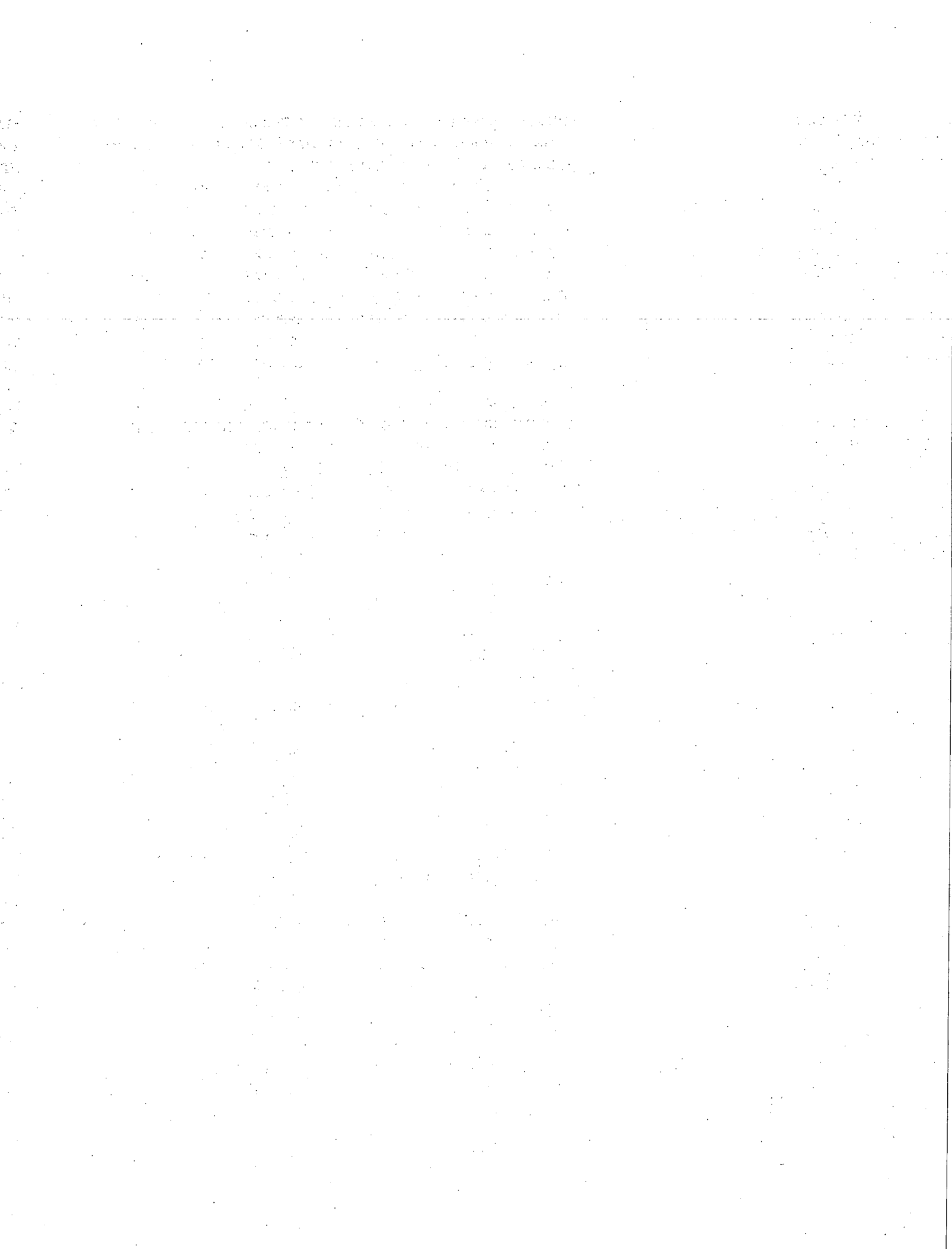
4. Invasive Species: One of the major stressors in California waterways, particularly San Francisco Bay, is introduced species. Therefore, the EIR should consider whether the Project is likely to involve in-water construction and if so, assess the Project's potential to encourage the establishment or proliferation of marine invasive species (MIS). For example, construction boats and barges brought in from long stays at distant projects may transport new species to the Project area via hull biofouling, wherein marine organisms attach to and accumulate on the hull and other submerged parts of a vessel. If the analysis in the EIR finds potentially significant MIS impacts, possible mitigation could include contracting vessels and barges from nearby, or requiring contractors to perform a certain degree of hull-cleaning. The CDFW's Invasive Species Program could assist with this analysis as well as with the development of appropriate mitigation (information at www.dfg.ca.gov/invasives/).
5. Construction Noise: The EIR should evaluate noise and vibration impacts on fish and birds from construction, restoration or flood control activities in the water, on the levees, and for land-side supporting structures. Mitigation measures could include species-specific work windows as defined by CDFW, USFWS, and the National Oceanic and Atmospheric Administration's Fisheries Service (NOAA Fisheries). Again, staff recommends early consultation with these agencies to minimize the impacts of the Project on sensitive species.

Climate Change

6. Greenhouse Gases: A greenhouse gas (GHG) emissions analysis consistent with the California Global Warming Solutions Act (Assembly Bill 32) and required by the State CEQA Guidelines should be included in the EIR. This analysis should identify a threshold for significance for GHG emissions, calculate the level of GHGs that will be emitted as a result of construction and ultimate build-out of the Project, determine the significance of the impacts of those emissions, and, if impacts are significant, identify mitigation measures that would reduce them to less than significant.
7. Sea Level Rise: The EIR should also consider the effects of sea level rise on all resource categories potentially affected by the Project. At its meeting on December 17, 2009, the CSLC approved the recommendations made in a previously requested staff report, "A Report on Sea Level Rise Preparedness" (Report), which assessed the degree to which the CSLC's grantees and lessees have considered the eventual effects of sea level rise on facilities located within the CSLC's jurisdiction. (The Report can be found on the CSLC's website, www.slc.ca.gov.) One of the Report's recommendations directs CSLC staff to consider the effects of sea level rise on hydrology, soils, geology, transportation, recreation, and other resource categories in all environmental determinations associated with CSLC leases.

Cultural Resources

8. Submerged Resources: The EIR should evaluate potential impacts to submerged cultural resources in the Project area. The CSLC maintains a shipwrecks database that can assist with this analysis. CSLC staff requests that the City contact Senior Staff Counsel Pam Griggs (see contact information below) to obtain shipwrecks data



from the database and CSLC records for the Project site. The database includes known and potential vessels located on the State's tide and submerged lands; however, the locations of many shipwrecks remain unknown. Please note that any submerged archaeological site or submerged historic resource that has remained in State waters for more than 50 years is presumed to be significant.

9. Title to Resources: The EIR should also mention that the title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the CSLC. CSLC staff requests that the City consult with Senior Staff Counsel Pam Griggs (see contact information below), should any cultural resources on state lands be discovered during construction of the proposed Project.

Additional Review

10. Deferred Mitigation: In order to avoid the improper deferral of mitigation, mitigation measures should either be presented as specific, feasible, enforceable obligations, or should be presented as formulas containing "performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way" (State CEQA Guidelines, §15126.4, subd. (b)).

Thank you for the opportunity to comment on the NOP for the Project. We request that you consider our comments while drafting the EIR. Please send additional information on the Project to the CSLC as plans become finalized.

Please send copies of future Project-related documents, including electronic copies of the Draft and Final EIR, Mitigation Monitoring and Reporting Program (MMRP), Notice of Determination (NOD), CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning environmental review to Holly Wyer, Environmental Scientist, at (916) 574-2399 or via e-mail at Holly.Wyer@slc.ca.gov. For questions concerning archaeological or historic resources under CSLC jurisdiction, please contact Senior Staff Counsel Pam Griggs at (916) 574-1854 or via email at Pamela.Griggs@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Grace Kato, Public Land Manager, at (916) 574-1227, or via email at Grace.Kato@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
Grace Kato, LMD, CSLC
Holly Wyer DEPM, CSLC
Seth Blackmon, Legal, CSLC

Disclaimer of liability:

This exhibit does not purport to show the grant boundaries. **Therefore, while it may be helpful for general grant administration purposes, the true boundaries may not be those depicted.** This exhibit does not replace the grant description contained in the California State legislative grant statutes. The user assumes all risk of use. The California State Lands Commission makes no warranty as to the accuracy nor assumes any liability for other uses.



SAN LEANDRO

~~C.685-S.1959~~

August 21, 1975

(GRANT REVOKED 10/29/95)

AREA NOW UNDER

49 YEAR LEASE

P.R.C. 5048.9)

From: Steve Modifer [mailto:stevemodifer@gmail.com]
Sent: Friday, August 02, 2013 9:11 AM
To: Barros, Sally
Subject: EIR Scope

to: Sally Barros, Senior Planner, City of San Leandro, 835 East 14th Street, San Leandro CA 94577

from Steve Modifer, 2524 West Ave. 130th, San Leandro CA 94577

RE: Items to be addressed in the Environmental Impact Report for the Marina Shoreline Development Project, San Leandro. August 2nd, 2013

Mz. Barros

I know there are many factors that must be considered within the scope of the EIR being prepared for the Marina Shoreline Project. I will probably mention some that are redundant to those stated in the Planning meeting on July 18th, 2013 in the San Leandro City Hall. I apologize for that, but the fact they are redundant says that that they must be important to all of us and skirting over them as has happened many times by the developer and City Hall is an injustice to San Leandro and to the Marina infrastructure.

Monarch Butterfly: The Monarch butterfly is an awesome species and this project, I feel, will disrupt the migratory pattern of this butterfly that has been in place for a hundred years. The trees that it goes to every year are in a wide open area that is not influenced by buildings, other infrastructure or the huge increase of human population and associated pollution from car exhaust and other externalities. Simply leaving the trees in place will not be enough to keep from disturbing this delicate balance of nature. What must be done to insure no disruption to the Monarch butterfly's migration.

Bird wildlife; migratory and domestic. It has been shown in many instances that buildings that are not "bird friendly" can cause dramatic consequences to avian air space..

"Gleaming by day and glittering at night, glazed buildings that make up modern city skylines and suburban settings

present serious hazards for birds. Bird populations, already in decline from loss of habitat, are seriously threatened

by the relatively recent incursion of man-made structures into avian air space. In the United States, an estimated 100

million to one billion birds perish each year from encounters with buildings. "

NY City Audubon Society-Bird Safe Building

Guidelines May 2007

The Marina Shoreline EIR must provide assurance that all of the structures being built in the proposed area take into account the wild bird and domestic bird ecosystem and habitats. Surely our bird wildlife deserves to be preserved at any cost. A set of buildings

built primarily for profit for a few people shall not disrupt the natural state of the Marina's bird population. I urge you to consider the findings in the report above and require them to be used in this project.

Flood controls: I feel that the allowance of silt to fill the harbor area will potentially cause a place to exist such that when at high tide, a "perfect storm" condition will allow the Bay's waters to flood or heave over the shoreline filling low adjoining areas and flood the areas surrounding the harbor. The Marina Inn and Horatio's Restaurant will surely be flooded as will the parking areas and possibly the golf course be saturated with brackish water leading to the destruction of the 'green areas'.

Also the heat generated in the shallow water of the harbor will kill most of the waterborne life. The aeration of the water may answer the problem in the short term, but a failure in the system, loss of power or equipment failure could quickly allow the water to heat and kill all organisms. There should be a fail safe system in place given that there will be no dredging making for heat exchange from water flow. .

Traffic: As a resident of Mulford Gardens I use Marina Blvd on a regular daily basis. As the road, Marina Blvd., exists today with the current populations and mix of commercial and recreational elements, it is apparent that ANY draw to the area beyond what is here now, will bring chaos into the area. It is ludicrous to assert that this project will not affect traffic flow and result in massive congestion. If the master plan by the city calls for elimination of the curb parking along Marina Blvd so as to give room for another lane of traffic in each direction, what is going to happen to the cars that generally park there now? The population increase resulting from all of the office work force during the day and the population increase from future work/live inhabitants 24/7, and the commercial 'people flow' in and out of the new restaurants and convention center will burst open Marina Blvd like an artery in a heart attack.

The upgrading of 98th Avenue in Oakland, allowing the linking of 580 to 880 and then to the Airport increased the traffic on that roadway substantially. It poses a good analogy. I personally was in an accident on 98th Ave. as an impatient driver took the chance to race across the congested road in the afternoon when children were getting out of school (possibly similar to Garfield Elementary School). The driver was taken to the hospital because my truck "T-Boned" her little sports car as she shot forward (I had the right of way) not knowing (she could not see me approaching because of a Box truck that was in her line of view) I was coming nor did I know she was coming. The congestion there on 98th Ave can't be avoided as there is no other space for the existing road to absorb, like it will be on Marina Blvd.

I trust that the EIR will judiciously give this matter full attention. Every one that has ever brought the issue up to the San Leandro City Staff and to the Developer have been told it isn't going to be a problem. WE KNOW IT WILL BE AN UNSOLVABLE PROBLEM. The Fairway alternative to the south will also be as congested because of the new Kaiser Hospital due to open soon. Shoreline traffic will rupture that route as much as the it will

Marina Blvd. Please determine truthfully how all factors will interact and do not pick and choose facts in order to get a skewed result in favor of the project. Mulford Gardens will suffer the most as the heaviest congestion will occur there.

-- If this EIR is a true investigation into whether this project can move forward, the elements I have brought to light here, while only a few, will show that this development cannot possibly exist in the scope and size as is proposed. The Audubon Society, other wildlife/nature groups, and the current residents of Mulford Gardens who are right now feeling the pinch from hospital construction and 880 upgrade traffic(a mile away) will tell you what is being built here is going to damage the quality of life for many things for many years.

Sincerely, Steve Modifer, President of Mulford Gardens Improvement Association. San Leandro, CA

copy of email sent to Governor Jerry Brown and Representative Barbara Lee

"He who joyfully marches to music in rank and file has already earned my contempt" A. Einstein

COMMENT LETTERS FOR NOP #2

.....



August 6, 2013

Sally Barros, Senior Planner
Community Development Department
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Subject: Comments on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the San Leandro Shoreline Development Project

Dear Ms. Barros:

On behalf of the San Francisco Bay Trail Project, I am writing to submit comments on the NOP for the DEIR for the San Leandro Shoreline Development Project (Shoreline Project) located in the City of San Leandro. The Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) that plans, promotes, and advocates for the implementation of the Bay Trail. The Bay Trail is a planned 500-mile continuous network of multi-use bicycling and hiking paths that, when complete, will encircle San Francisco and San Pablo Bays in their entirety. It will link the shoreline of all nine Bay Area counties, as well as 47 cities. To date, 333 miles of the proposed Bay Trail system has been developed.

Several segments of the adopted Bay Trail alignment run through and adjacent to the Shoreline Project area. There are existing segments of the Bay Trail that runs along Monarch Bay Drive and the southern shoreline spit. There is also a planned Bay Trail segment that will run along the northern shoreline spit where the Shoreline Project will be located. As such, we are interested in ensuring that the project incorporates the Bay Trail alignment along the northern shoreline spit consistent with the adopted Bay Trail Plan and the Bay Trail Design Guidelines.

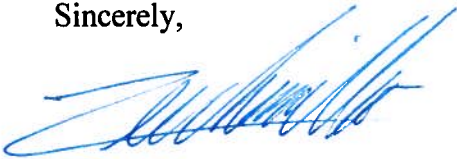
Although it is a bit unclear, it appears that the proposed project includes a 20-foot-wide waterfront promenade along the shoreline edges of the entire northern spit. This would be consistent with the Bay Trail Design Guidelines of providing a minimum 14 to 16-foot trail corridor for bicycle and pedestrian access along the Bay Trail. However, based on our conversations with City staff, it is our understanding that access to the proposed promenade would be limited to pedestrians and would not include access for bicyclists. Since the primary Bay Trail goal is to provide shoreline trail access to pedestrians as well as bicyclists, restricting bicycle access along the promenade would not be consistent with Bay Trail goals and policies.

Ms. Sally Barros
August 6, 2013

We would request that the Shoreline Project be modified to allow bicycle access on the promenade similar to the promenade at Jack London Square in Oakland. We would also request that the DEIR analyze the consistency of the Shoreline Project with implementing the adopted Bay Trail alignment including its consistency with the minimum widths identified in the Bay Trail Design Guidelines and the Bay Trail goal of providing shoreline trail access for both pedestrians and bicyclists. Any project impacts to the Bay Trail should be identified and mitigated.

The Bay Trail Project appreciates the opportunity to comment on the NOP for the Shoreline Project DEIR and looks forward to working with the City of San Leandro to improve the Bay Trail within the City. Please do not hesitate to call me at (510) 464-7915 if you have any questions regarding the above comments or the Bay Trail.

Sincerely,



Lee Chien Huo
Bay Trail Planner



December 19, 2013

Sally Barros
Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

SUBJECT: Response to Notice of Preparation of a Draft Program Environmental Impact Report (DEIR) for the San Leandro Shoreline Development Project

Dear Ms. Barros,

Thank you for the opportunity to comment on the Notice of Preparation of a Draft Program Environmental Impact Report for the San Leandro Shoreline Development Project. The project is located in the San Leandro Shoreline Area, which encompasses approximately 1,800 acres of land situated on the eastern shore of the San Francisco Bay at the western end of Marina Boulevard. The proposed development site is the area generally west of Monarch Bay Drive between Marina Boulevard and Fairway Drive.

The San Leandro Shoreline Development Project is proposed as an integrated master planned development and a public/private partnership with the City on 52 acres of the City-owned marina. The proposed components of the Project include:

- 150,000 square foot office campus
- 200 room hotel
- 15,000 square foot conference center
- 354 units of housing (61 condominiums, 159 market rate apartments, 92 townhomes, and 42 single-family detached homes.)
- 3 new restaurants (totaling 21,000 square feet)
- Library/Community building
- Parking structure with 800 spaces
- Public amenities.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

Basis for CMP Review

- The City of San Leandro adopted Resolution No. 92-260 on September 8, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). It appears that the proposed project will generate at least 100 p.m. peak hour trips over existing conditions, and therefore the CMP Land Use Analysis Program requires the City to conduct a transportation impact analysis of the project.

Use of Countywide Travel Demand Model

- The Alameda Countywide Travel Demand Model should be used for CMP Land Use Analysis purposes. The CMP was amended on March 26th, 1998 so that local jurisdictions are responsible for conducting travel model runs themselves or through a consultant. The City of San Leandro and the Alameda CTC signed a Countywide Model Agreement on April 1, 2008. Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request. The most current version of the Alameda CTC Countywide Travel Demand Model is the August 2011 update.

Impacts

- The DEIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the project area include Interstate 880 and Doolittle Drive.
 - For the purposes of CMP Land Use Analysis, the Highway Capacity Manual 2010 freeway and urban streets methodologies are the preferred methodologies to study vehicle delay impacts.
 - The Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2013 CMP for more information).
- The DEIR should address potential impacts of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the project include BART and AC Transit.
 - Transit impacts to consider include the effects of project vehicle traffic on mixed flow transit operations, transit capacity, transit access/egress, need for future transit service, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to cyclists on the Countywide Bicycle Network.
 - Countywide bicycle facilities near the project area include the Bay Trail and Doolittle Drive.
 - Bicycle related impacts to consider include effects of vehicle traffic on bicyclist conditions, site development and roadway improvements, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to pedestrians in Countywide Pedestrian Plan Areas of Countywide Significance.
 - The project does not overlap with a pedestrian Area of Countywide Significance but the project should consider impacts to pedestrians in accordance with local policies.

Mitigation Measures

- Alameda CTC policy regarding mitigation measures is that to be considered adequate they must be:
 - Adequate to sustain CMP roadway and transit service standards;

- Fully funded; and
 - Consistent with project funding priorities established in the Capital Improvement Program of the CMP, the Countywide Transportation Plan (CWTP), and the Regional Transportation Plan (RTP) or the federal Transportation Improvement Program, if the agency relies on state or federal funds programmed by Alameda CTC
- The DEIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on service standards if only the funded portions of these mitigation measures are built prior to Project completion. The DEIR should also address the issue of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.
 - Jurisdictions are encouraged to discuss multimodal tradeoffs associated with mitigation measures that involve changes in roadway geometry, intersection control, or other changes to the transportation network. This analysis should identify whether the mitigation will result in an improvement, degradation, or no change in conditions for automobiles, transit, bicyclists, and pedestrians. The HCM 2010 MMLOS methodology is encouraged as a tool to evaluate these tradeoffs, but project sponsors may use other methodologies as appropriate for particular contexts or types of mitigations.
 - The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. The Alameda CTC CMP Menu of TDM Measures and TDM Checklist may be useful during the review of the development proposal and analysis of TDM mitigation measures (See Appendices G and H of the 2013 CMP).

Other

- For projects adjacent to state roadway facilities, the analysis should address noise impacts of the project. If the analysis finds an impact, then mitigation measures (i.e., soundwalls) should be incorporated as part of the conditions of approval of the proposed project. It should not be assumed that federal or state funding is available.

Thank you for the opportunity to comment on this NOP. Please contact me at (510) 208-7405 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Planning and Policy

cc: Matthew Bomberg, Assistant Transportation Planner
file: CMP/Environmental Review Opinions/2013

From: Barry Tangney [mailto:barry@powerstandards.com]
Sent: Tuesday, January 07, 2014 7:04 PM
To: Barros, Sally
Cc: Cassidy, Stephen
Subject: San Leandro Shoreline Development Project

Dear Sally,

As reference, my wife Karen and I have lived at 13135 Neptune Dr. for the past 24 years, having raised a family of three boys at this location.

We received your Notice of Preparation for the San Leandro Shoreline Development project, and appreciate the information you provided.

In general, we are very supportive of the proposed development, believing it is a great opportunity to elevate a prime portion of San Leandro that has been sorely neglected. Much thought has obviously been put into this project, and we understand that there must be many competing factors under consideration.

However, there is one feature of the development that we are very disappointed in - specifically, the 159 apartments on the existing El Torrito's parking lot.

As I'm sure you are aware, the residential portion of Marina boulevard is already inundated with apartments (evidenced by the daily overflow of parking on our street). We understand the inclusion of 42 single family detached homes and 92 townhomes, as this seems a reasonably residential and traffic density for the area, but 159 apartments just seems completely inconsistent with what is otherwise a reasonable plan.

As you know, this particular bay frontage is a beautiful, prime piece of real estate. To consider lining it with multi-tier apartments seems a sad architectural and planning weak point.

We have read comments from our mayor mourning a lack of high-end housing in San Leandro, so important in helping keep some of the local business people and owners from migrating out of town. Surely this development is the ideal location to begin changing this. How many bay front properties are available in all of San Francisco, let alone San Leandro? This would be an unfortunate design choice that, if carried through with, will be forever considered a detraction from what could otherwise be a beautiful upgrade to our city.

We are unsure of the power of local residents to change such a development decision, but we are hoping that in this case you will reconsider, and look at this as an opportunity to portray San Leandro in a new light.

Best regards,

Barry and Karen Tangney

--

Barry Tangney

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Alameda, CA 94501 USA

TEL ++1-510-522-4400

FAX ++1-510-522-4455

From: Bud Poe [mailto:budpoe2003@aol.com]
Sent: Friday, January 03, 2014 3:51 PM
To: Barros, Sally
Subject: NOP Comments

MS Barros,

I hardly know where to begin with my comments in reference to your letter of 12/11/13. It appears that not only have concerns expressed in the public meetings not been addressed, but the proposed addition of and additional 166 residential housing units only exacerbates and already flawed plan. My concerns are as follow:

1. The additional units will only increase traffic and congestion with the potential for 300+ automobiles traveling what are two- lane streets in Marina Blvd. and Fairway Drive. There are already hundreds of cars lining both sides of Marina Blvd. which makes the congestion even worse. Where will the owners of these units be parking their cars? The only way to improve Fairway to accommodate more traffic and parking would seem to be removing the center island with its plantings which would destroy the whole aesthetic of the street. The additional noise and congestion will adversely affect the existing 276 units in Marina Seagate where I live.
2. The potential for catastrophic failures in the water and sewers currently serving the existing developments are going to be greatly increased with the addition of all of the additional residential and commercial buildings.
3. The continued silting of the marina bowl will make any attempt to put in a fountain pointless as the sludge will eventually overtake the area which is slotted for recreation.
4. What is the plan for removing and remediating the polluted silt in the current marina bowl. With years of oil, gas, diesel and human waste polluting the ground and water, this will be a major toxic cesspool which will probably continue for years even with any type of removal process.
5. Where in the plan is the preservation of the Eucalyptus trees on the Executive Golf Course? These are some of the most environmentally sensitive areas in the city of San Leandro with the migration of 1000's of Monarch Butterflies each year?
6. Where are the 1,973 proposed parking spaces going to be? Will there be on-site parking in the commercial areas or will parking bleed out into the streets?

7. After the last few year's decline in property values, we are finally seeing them increase. Such an ill-thought out plan with all of its flaws could directly impact and negate the gains of the last year which would not only hurt our residents, but would increase the possibility of dues increases to maintain our complex.

8. Lastly, what is the plan for the taxpayers of San Leandro to pay for the developments in the event that occupancy rates are not met?

In conclusion, I appreciate the opportunity for input, but I get the feeling that this is like a "runaway freight train" and no matter what concerns are raised, the proposals will be instituted.

Sincerely
Martin Poe
13917 Seagate Drive
San Leandro, California 94577
(510) 564-4775
budpoe2003@aol.com

From: debindan@comcast.net [mailto:debindan@comcast.net]
Sent: Monday, January 06, 2014 9:12 AM
To: Barros, Sally
Subject: San Leandro Shoreline Dev Project

Ms Barros ~

I have owned a home at Marina Seagate since it was built, and have spoken with several of my neighbors, who are also original owners, about the Shoreline Dev Project.

There seems to be concern about the Library on the corner of Aurora and Fairway being replaced by low-income Section 8 housing.

In your letter dated 11 December 2013, no mention of Section 8 housing being placed across from Marina Seagate.

Would you please tell me if it is true?

The project on a whole sounds amazing, however the added traffic on the existing roads will create congestion. How is this issue being addressed.

Thank you for your time.

Cheers ~ debi clarkson
510.292.0869

DEPARTMENT OF TRANSPORTATION

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December 23, 2013

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Ms. Sally Barros
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Dear Ms. Barros:

San Leandro Shoreline Development Project – Notice of Preparation

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the San Leandro Shoreline Development project. The following comments are based on the Notice of Preparation. As lead agency, the City of San Leandro (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, and implementation responsibilities as well as lead agency monitoring should be fully discussed for all proposed mitigation measures and the project's traffic mitigation fees should be specifically identified in the environmental document. Any required roadway improvements should be completed prior to issuance of project occupancy permits.

Traffic Impact Study

The environmental document should include an analysis of the impacts of the proposed project on State highway facilities in the vicinity of the project site, specifically operations on State Route 61 and ramp and mainline operations on Interstate 880. The Traffic Impact Study (TIS) should provide the information detailed below:

1. Information on the plan's traffic impacts in terms of trip generation, distribution, and assignment. The assumptions and methodologies used in compiling this information should be addressed. The study should clearly show the percentage of project trips assigned to State facilities.
2. Current Average Daily Traffic (ADT) and AM and PM peak hour volumes on all significantly affected streets, highway segments and intersections.
3. Schematic illustration and level of service (LOS) analysis for the following scenarios: 1) existing, 2) existing plus project, 3) cumulative and 4) cumulative plus project for the roadways and intersections in the project area.
4. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the State highway facilities being evaluated.

Ms. Sally Barros/City of San Leandro
December 23, 2013
Page 2

5. The procedures contained in the 2010 update of the Highway Capacity Manual should be used as a guide for the analysis. We also recommend using Caltrans' *Guide for the Preparation of Traffic Impact Studies*; it is available on the following web site:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

6. Mitigation measures should be identified where plan implementation is expected to have a significant impact. Mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.

We look forward to reviewing the TIS, including Technical Appendices, and environmental document for this project. Please send two copies to the address at the top of this letterhead, marked ATTN: Yatman Kwan, AICP, Mail Stop #10D.

Should you have any questions regarding this letter, please call Yatman Kwan, AICP of my staff at (510) 622-1670.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

January 8, 2014

Sally Barros, Senior Planner
Community Development
San Leandro City Hall
835 East 14th Street
San Leandro, CA 94577

Sent via e-mail to
sbarros@sanleandro.org
And regular mail
On January 8, 2014

NL

RE: Notice of Preparation of an Environmental Impact Report, San Leandro Shoreline Development Project

Dear Ms. Barros,

The East Bay Regional Park District ("District") appreciates the opportunity to provide comments on the Notice of Preparation ("NOP") for an Environmental Impact Report (EIR) for the San Leandro Shoreline Development Project ("Project"). The proposed development project is adjacent to the District's Oyster Bay Regional Shoreline and a portion of the San Francisco Bay Trail ("Bay Trail") is currently aligned along Monarch Bay Drive, within the proposed project area.

The District has a long term commitment to protecting and maintaining open space in Alameda County and providing public access and recreation opportunities. The District operates Oyster Bay Regional Shoreline which may be impacted by construction noise and dust, and the Bay Trail which would directly impacted by the proposed Project. The District would like the City of San Leandro to evaluate and avoid, or fully mitigate, the impacts on the existing park and trail.

As the project moves forward and environmental review is undertaken, we recommend that SF Bay Trail alignment and the effects on Oyster Bay Regional Shoreline be taken into consideration in the following manner:

- 1) *San Francisco Bay Trail*: The District operates various sections of the Bay Trail, a regionally important trail that provides vital transportation and recreational amenities throughout the Bay Area's shoreline. More specifically, the portion of the Bay Trail aligned along Monarch Bay Drive within the Project's plan area is an important component of the Projects transportation and recreation elements. Of concern to the District is the addition of nearly 200 residential units, along with the office park and conference center. These additions will impact safety for bicycles and pedestrians. The Project proponent should mitigate those impacts by including a separated, Class I Bay Trail segment connecting Marina Drive to the existing shoreline park and along Monarch Bay Drive.

During construction, the effect on pedestrian and bicycle traffic should be analyzed and mitigated for, with an interim trail alignment established. The EIR should analyze the potential trail alignments and select preferred and interim alignments. The EIR should also

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consider the safety of all trail users as well as slopes, views, site features, and impact on resources.

- 2) *Oyster Bay Regional Shoreline*: Oyster Bay Regional Shoreline is directly to the north of the Project site. The northern half of the Project site calls for significant demolition and construction. The EIR should evaluate the potential impacts of noise and air quality impacts on current recreational activities at Oyster Bay Regional Shoreline.

The District is happy to assist with the process of project refinement and environmental review, and as such, we are open to meeting with the City as needed. We also appreciate receiving future information about this project as it becomes available. Please feel free to contact me at (510) 544-2626, or by e-mail at nlavalle@ebparks.org, should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Neoma Lavallo", written in a cursive style.

Neoma Lavallo
Acting Senior Planner

1/6/14

Dear Ms. Barros,

It seems we have missed quite a bit of the public process concerning the marina development. We would appreciate it if you could put us on the email list regarding marina development, public mtgs, etc.

Thank you

Gerd
Gerd Manggraff

PHONE CALL

FOR	<u>Sally</u>	DATE	<u>1-13-14</u>	TIME	<u>8:54</u> P.M.
OF	<u>Mr. Gerd Manggraff</u>				
PHONE/ MOBILE		FAX			
MESSAGE	<u>please add to e-mail list for marina projects</u>				
SIGNED	<u>mb</u>				

- TELEPHONED
- RETURNED YOUR CALL
- PLEASE CALL
- WILL CALL AGAIN
- CAME TO SEE YOU
- WANTS TO SEE YOU

1154

Gerd & Melissa Marggraff
13055 Neptune Drive
San Leandro, CA 94577
Phone: 510-828-1992
marinesurveyorusa@yahoo.com
January 6, 2014

Sally Barrows
Community Development Department
835 East 14th Street
San Leandro, CA 94577

Dear Ms. Barrows,

We are concerned about environmental impact of the changes to the proposed marina development. We live on Neptune Drive.

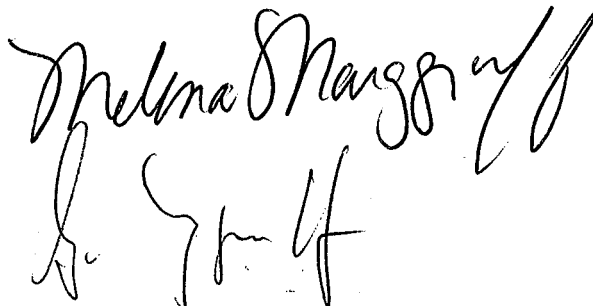
Every day, we are listening to the airport noise, traffic on Marina Drive, and noise created in the marina parking lot (next to El Torito). A loud car radio in the marina parking lot, can be heard clearly in our backyard and in our bedrooms. The increase in units across the existing marina parking lot will have a very adverse impact on our quality of life on Neptune Drive. We already are suffering from noise impact from the airport, well beyond what the City will admit. You know that Neptune Drive is the buffer zone concerning airport noise for the rest of Mulford Gardens. We are not interested in being the buffer zone for noise from the rental units.

An additional concern is the increase of traffic and street parking of non-Neptune Drive residents. With abundant rental units being planned for the marina, there will be substantially more traffic on Neptune disturbing our quality of life. Already there are traffic problems on Neptune Drive. A lot of Neptune Drive residents have complained time and time again about the illegal right turns onto Marina. Regarding parking, already now, the Marina apartments are filling our street halfway up Neptune Drive. The residents show little care for the street, often littering. There have been numerous times they have parked to block residential driveways and even the intersection of Neptune and Marina. We anticipate the rental units will only add to these problems.

When the decision was made to proceed with the marina development, a lot of us on Neptune were very supportive. A positive marina development with a few restaurants and additional jobs for San Leandro residents was promised to us....NOT another a low cost rental disaster! This development will change the character of west San Leandro and our quality of life even more to the negative.

Sincerely,

Melissa & Gerd Marggraff

Handwritten signatures of Melissa and Gerd Marggraff. The signature for Melissa is written in a cursive style, and the signature for Gerd is also cursive and appears to be written below Melissa's signature.



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Gerd Marggraff
marinesurveyorusa@yahoo.com
<http://www.yourboatman.com>

510-828-1992 mobile
510-895-1733 home

From: Gloria Reid [mailto:gloriareid1510@gmail.com]
Sent: Thursday, December 12, 2013 4:07 PM
To: Barros, Sally
Subject: San Leandro Shoreline Dev. Proj.

Questions:

What is the timeline for this project?

Is there a reason to believe there is a market for all the new homes/apts?

It sounds like the golf course will get back to its regular 18/9 holes after construction. Is that correct?

Am I correct that Horatio's building and Marina Inn will stay in place and El Toritos will be torn down? Why is it being torn down?

I take it the aquatic center would have a large pool? Open to everyone?

Thank you for clarification

Gloria Reid
13725 Seagate Dr.
San Leandro, CA 94577



PALMIERI, TYLER, WIENER, WILHELM & WALDRON^{LLP}

2603 MAIN STREET
EAST TOWER – SUITE 1300
IRVINE, CALIFORNIA 92614-4281
(949) 851-9400
www.ptwww.com

P.O. BOX 19712
IRVINE, CA 92623-9712

WRITER'S DIRECT
DIAL NUMBER
(949) 851-7348

WRITER'S DIRECT
FACSIMILE NUMBER
(949) 825-5426

FIRM'S DIRECT
FACSIMILE NUMBERS
(949) 851-1554
(949) 757-1225

enaderi@ptwww.com

REFER TO FILE NO.
36883-000

ANGELO J. PALMIERI (1926-1996)
ROBERT F. WALDRON (1927-1998)

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ROBERT C. IHRKE, OF COUNSEL
JAMES E. WILHELM, OF COUNSEL
DENNIS G. TYLER*, RETIRED
*A PROFESSIONAL CORPORATION

VIA E-MAIL & U.S. MAIL

Cynthia Battenberg
Business Development Manager, City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: The Marina Inn, 68 Monarch Bay, San Leandro, CA 94577

Dear Ms. Battenberg:

As a follow-up to our letter and comments to the City Council last week regarding the Shoreline Development Project, we would like to reiterate the need for a market study to demonstrate that San Leandro and the Marina area can support the addition of a new hotel.

It is our further understanding that an additional new hotel is being proposed to be developed near the new Kaiser campus in San Leandro.

We do not believe that an adequate market study has been conducted to determine whether the market can support this influx of new hotels in addition to The Marina Inn. It is our opinion that such a market study should occur now and should not be postponed.

Additionally, we request that the City/Developer analyze the potential economic impacts in the EIR. In order to fulfill its informational obligations, the EIR must consider the Shoreline Development Project's individual and cumulative potential to indirectly cause urban/suburban decay by precipitating a downward spiral of hotel closures.

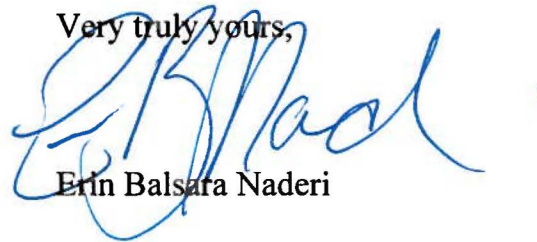
Cynthia Battenberg
November 25, 2013
Page 2

Support for such an analysis in an environmental document can be found in *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.

Further, we would like to know how the developer proposes to phase the Shoreline Development Project. The phasing of the project should be considered and analyzed in the EIR.

Thank you.

Very truly yours,



Erin Balsara Naderi

EBN:ebn

cc: client



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REFER TO FILE NO.
36883-000

January 9, 2014

ANGELO J. PALMIERI (1926-1996)
ROBERT F. WALDRON (1927-1998)

ALAN H. WIENER* DONNA L. SNOW
MICHAEL J. GREENE* RYAN M. EASTER
DENNIS W. GHAN* ELISE M. KERN
DAVID D. PARR* MELISA R. PEREZ
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STEPHEN A. SCHECK

MICHAEL C. CHO, OF COUNSEL
ROBERT C. IHRKE OF COUNSEL
JAMES E. WILHELM, OF COUNSEL
DENNIS G. TYLER*, RETIRED

*A PROFESSIONAL CORPORATION

VIA E-MAIL & U.S. MAIL

Sally Barros, Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: San Leandro Shoreline Development Project EIR -- Public Scoping
Comment Letter

Dear Ms. Barros:

This office represents The Marina Inn located at 68 Monarch Bay, San Leandro. We have submitted prior letters on behalf of The Marina Inn relating to the previous public scoping period and generally concerning the Shoreline Development Project, including letters dated August 2, 2013, November 12, 2013 and November 25, 2013. (See attached). We request that this letter and those prior letters be included as responsive to the present public scoping period ending on January 9, 2014. The Marina Inn has also had other discussions and communications with the City and its representatives concerning this project.

The Marina Inn again requests that the Environmental Impact Report for the Shoreline Development Project include an analysis of the following:

- The EIR should consider alternatives of eliminating or moving the 200-225 room conference hotel.

Sally Barros, Senior Planner
January 9, 2014
Page 2

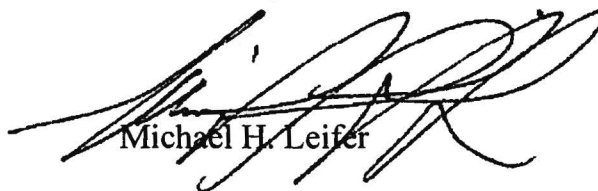
- The EIR should properly analyze and consider the view and visual impacts caused by the project, including the visual impacts to The Marina Inn caused by the 200-225 room conference hotel--the analysis of this in the EIR should include a review of the proposed height of the 200-225 room conference hotel. Previously the developer/City indicated the proposed hotel would be two-stories; recently, the developer stated it was actually going to be at least another level higher.
- The EIR should properly analyze and consider the project phasing and staging of construction. For the first time, the December 11, 2013 Notice of Preparation provides a general phasing plan of the project. There is scant detail. Phasing needs to be set out in far more detail so that the community is aware of what is going to happen and when. The phasing analysis has to be analyzed in light of the needs of others in the community. It must be planned to minimize impacts. Therefore, the needs of other properties and businesses in the area must be considered.
- The analysis must properly analyze whether the market can support the Project. For example, can the hospitality market support the addition of a new 200-225 room hotel in the Marina Area? Under what circumstances? What is proposed to happen to existing hotels and other proposed new hotels such as the one being proposed near the new Kaiser campus?
- The EIR should properly analyze the noise impacts during and after construction.
- The EIR should properly analyze the impacts to air quality during and after construction.
- The EIR should properly analyze the traffic (both vehicular and pedestrian traffic) impacts to the Marina area during and after construction.
- The EIR should properly consider the impact to vehicular and pedestrian access to the Marina area by non-emergency and emergency vehicles and personnel during and after construction.
- The EIR should properly consider and analyze the parking impacts of the project during and after construction.

Sally Barros, Senior Planner
January 9, 2014
Page 3

- The EIR should properly consider and analyze the light reflections/building shadows caused by the project. The light issues include, but are not limited to, reflections, decreased night sky visibility and building shadow.
- The EIR should properly consider and analyze the impact of the project on the fauna in the Marina area including, but not limited to, the sea lions and monarch butterflies.
- The EIR should properly consider and analyze the impact of the project on recreational boating and yachting.
- The EIR should consider and analyze water quality of the Marina during and after construction.
- The EIR should properly consider and analyze the potential odors that may be caused during and after construction by the project.
- The EIR should properly consider and analyze the impacts of the proposed "Aeration Fountain", including, but not limited to, the change in nature of a Marina that would have fountain in it--like a man- made pond, the noise, spray and odors created.
- The EIR should properly consider and analyze the potential impact that the project will cause an increase in the bird population in the Marina area and the impact that will have on the Oakland Airport operations as well as other potential issues in the Marina area.

The Marina Inn requests that the project alternatives considered in the EIR include a project alternative that removes the 200-225 room conference hotel from its current proposed location directly in front of The Marina Inn. Thank you.

Very truly yours,



Michael H. Leifer

cc: Cynthia Battenberg
client



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VIA E-MAIL & U.S. MAIL

Sally Barros, Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: San Leandro Shoreline Development Project EIR -- Public Scoping
Comment Letter

Dear Ms. Barros:

This office represents The Marina Inn located at 68 Monarch Bay, San Leandro,
CA 94577. We submit this letter on behalf of The Marina Inn related to the public
scoping period for the Shoreline Development Project Environmental Impact Report.

- 1. The Marina Inn has been informed by senior City staff that the
location of components of the Shoreline Development Project are
already set. Nearly at the same time, senior staff has informed that
there is no set location.

As a result, this process is looking like a sham from the start.

The EIR process and decision is supposed to emanate from a fair and unbiased
consideration of various project alternatives, including a no-project alternative.

Sally Barros, Senior Planner
August 2, 2013
Page 2

When an EIR is prepared, the lead agency must certify that it was completed in compliance with CEQA and that the information in the EIR was presented and considered before the decision was made. (14 Cal Code Regs § 15090.)

Here, we are being informed that the decision, as to important components as they relate to the Marina Inn, have been set. In fact, that was confirmed to The Marina Inn by Community Development Director, Cynthia Battenberg.

At the public scoping meeting that was held on July 18, 2013, Audrey Velasquez, the General Manager of The Marina Inn and a resident in the area, objected to and commented upon the location of a hotel that is proposed as part of the Shoreline Development Project. Ms. Velasquez expressed concern about the proposed location of the hotel and the impacts it would have on The Marina Inn. Among other things, Ms. Velasquez expressed concern about the views from the Marina Inn.

In response, Ms. Battenberg followed-up with Ms. Velasquez via email providing a "history" of the approval of the location for the proposed hotel. Ms. Battenberg also met briefly with Ms. Velasquez to reiterate the approval of the location of the hotel. Ms. Battenberg's assertions indicate that the location of the proposed hotel was set, approved and would not be changed.

Based upon this fundamental issue, the City is incapable of conducting a fair and impartial EIR process, considering various project alternatives and only approving a project alternative after full consideration of the information in the EIR.

2. **The EIR should consider alternatives of eliminating or moving the 200-225 room conference hotel.**

Director Battenberg states that the current location of the hotel component of the 200-225 room conference hotel is directly in front of The Marina Inn. Construction and operation from that location negatively impacts the Marina Inn in a myriad of ways. These impacts include: views, noise, traffic, and numerous other environmental issues. Elimination of the 200-225 room conference hotel must be considered.

Sally Barros, Senior Planner
August 2, 2013
Page 3

3. **The EIR should properly consider the view and visual impacts caused by the project, especially the visual impacts to The Marina Inn caused by the 200-225 room conference hotel.**

The Marina Inn is very concerned about the Shoreline Development Project's visual impacts to The Marina Inn.

Currently, The Marina Inn enjoys a view of the Marina and the San Francisco Bay. The west facing views give the Marina Inn sunset views year around. On higher floors of the hotel, you see more and more of the San Francisco Bay and out to the skyline of the City of San Francisco. At night, the beautiful lights of the San Francisco skyline are visible from the Marina Inn.

It is imperative that the EIR consider the impact the proposed project alternatives would have on the view from The Marina Inn--specifically the current location for the proposed conference hotel which is to be located directly across the Marina from The Marina Inn, blocking the aforementioned view.

4. **Other areas of concern to be considered and analyzed in the EIR.**

In addition to the above, the Marina Inn requests that the EIR review, analyze and consider the following:

- **Noise:** The noise impacts both during and after construction of the Shoreline Development Project, especially the noise impacts to The Marina Inn. The Marina Inn is concerned that Project construction will be very noisy, will disturb the guests of the Marina Inn and
- **Air Quality:** The impacts to the air quality both during and after construction should be properly considered. The Marina Inn is concerned that Project construction will create a lot of dust that will be detrimental to The Marina Inn and its business operations.
- **Traffic:** The Shoreline Development Project is proposing to greatly intensify the development and use in the Marina area. The area already has significant traffic issues with vehicular back-ups. Construction and ultimate use by the proposed intense Shoreline Development Project will have a negative impact on traffic in the area. That will, in turn, impact

Sally Barros, Senior Planner
August 2, 2013
Page 4

pedestrian traffic in the area. The vehicular and pedestrian impacts must be properly analyzed.

- **Access By Emergency Vehicles and Personnel:** In conjunction with the traffic issues both during and after construction, The Marina Inn is concerned about the ability of emergency vehicles (fire, police, ambulance) to access the area.
- **Parking:** The Shoreline Development Project proposes an intense use. Parking will be a concern and should be properly reviewed and considered.
- **Light Reflections/Building Shadows:** It is unclear what type of building material will be used for the various buildings proposed to be developed in the Shoreline Development Project. The impacts from the reflective surfaces of the proposed buildings on The Marina Inn needs to be studied. Building shadows must be considered.
- **Wildlife:** The Marina Inn is concerned about the impact of this Project on the wild life including, but not limited to, the sea lions and monarch butterflies.

The Marina Inn is concerned that the Project proposes work in The Marina (including placing pylons in the water) that will negatively impact the sea lions in that area.

Currently, the monarch butterflies visit each year at the current golf course. The Project proposes to move a number of the holes at the golf course in order to build residential. The Marina Inn is concerned about the impact that will have on the monarch butterflies.

- **Water Quality:** The Marina Inn is also concerned about the proposed removal of boat docks in the Marina. The Marina Inn is concerned that such removal will cause a build-up of silt in the Marina. That will cause the Marina to become muddy and have a foul odor. There are also additional concerns relating to run-off and trash/pollution in the Marina, and particularly containment of construction materials and run-off.

Sally Barros, Senior Planner
August 2, 2013
Page 5

- **Aeration Fountain:** The proposed Aeration Fountain is a great concern to The Marina Inn. Obviously, it is very artificial in appearance. We understand that it is also very large. It will undoubtedly have a negative impact on The Marina Inn's view. Further, it is anticipated that the Aeration Fountain will have a foul odor that will negatively impact The Marina Inn. The impacts from the Aeration Fountain should be properly analyzed.
- **Construction Phasing and Staging:** Based on the size of the proposed Shoreline Development Project, it is anticipated that The Marina Inn and greater area would be located in a construction zone for a number of years.
- **Bird Population Increase and Impact on Oakland Airport Flight Path:** The change in the Marina, specifically the creation of a marsh-like area with reeds, etc., will cause an increase in the bird population in the Marina area. That is an important issue to be reviewed and analyzed considering the proximity to Oakland Airport and the flight path to (and sometimes from) Oakland Airport.

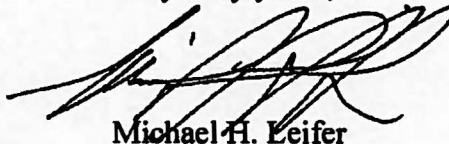
5. **Conclusion.**

The Marina Inn requests that the project alternatives considered in the EIR include a project alternative that either removes the 200-225 conference hotel from its current location directly in front of The Marina Inn, or moves the 200-225 conference hotel to a location that does not negatively impact the view from The Marina Inn.

The Marina Inn further requests that the above concerns be addressed in the EIR.

Thank you.

Very truly yours,



Michael H. Leifer

cc: Cynthia Battenberg
client



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REFER TO FILE NO.
36883-000

November 12, 2013

VIA E-MAIL

Stephen H. Cassidy
Mayor, San Leandro
835 East 14th Street
San Leandro, CA 94577

Michael J. Gregory
Councilmember District 1, San Leandro
835 East 14th Street
San Leandro, CA 94577

Ursula Reed
Councilmember District 2, San Leandro
835 East 14th Street
San Leandro, CA 94577

Diana M. Souza
Councilmember District 3, San Leandro
835 East 14th Street
San Leandro, CA 94577

Benny Lee
Councilmember District 4, San Leandro
835 East 14th Street
San Leandro, CA 94577

Pauline Russo Cutter
Councilmember District 5, San Leandro
835 East 14th Street
San Leandro, CA 94577

Jim Prola
Councilmember District 6, San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: Proposed Shoreline Development Project and the Marina Inn, 68
Monarch Bay Drive

Dear City Council Members:

The owners and management of The Marina Inn have been and are very concerned about the impact of the proposed Shoreline Development Project on The Marina Inn. The Marina Inn has been successfully providing hospitality to guests of San Leandro for many years.

**Stephen H. Cassidy
Michael J. Gregory
Ursula Reed
Diana M. Souza
Benny Lee
Pauline Russo Cutter
Jim Prola
November 12, 2013
Page 2**

The Marina Inn has asked the City and the developer to show that the Marina area market is or will be strong enough for the success of two hotels in the Marina. No such showing has been made. That should concern everyone. If the market does not have present sufficient demand and a new hotel is built, one or both hotels will be at significant risk.

Apparently, at present, the developer also seeks to put the conceptual hotel directly across from The Marina Inn, blocking it from the bay. Views of the sunset, the Bay and the City skyline would become views of a building or shadow.

In order to try to make this a win/win situation, we have been trying to participate in the Shoreline Development process. Most recently, a number of Marina Inn representatives attended the Shoreline Advisory Group meeting on October 30, 2013 where this flavor of conceptual plan was first presented to the public.

The developer's current discussion plan proposes many changes to the project. In fact, much of the flavor of the project is changing to build more apartment rentals and condominiums.

When Marina Inn representatives raised questions and objections regarding this proposed plan, City staff and the developer took the totally improper position that the Marina Inn could not express its objections.

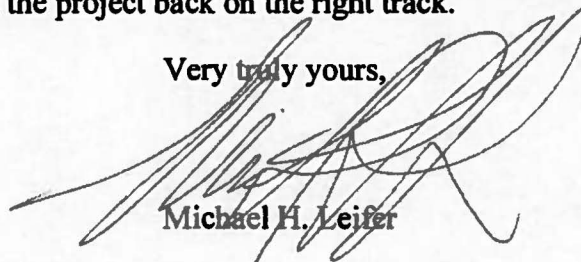
Though not shown on its current discussion plan, the developer admitted that it really wants to grow the height of the conceptual hotel to three stories. Just a year earlier, in the October 2012 conceptual plan, the conceptual hotel was proposed to be only two stories. City Staff and the developer also improperly refused to permit further discussion/comment on the conceptual hotel. The improper refusal became ridiculous when our manager, Audrey Velasquez, who is serving on the Shoreline Advisory Committee, was repeatedly prevented from expressing her opinion. Staff even refused to recognize that Ms. Velasquez was a member of the committee. A few days later, staff

Stephen H. Cassidy
Michael J. Gregory
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Jim Prola
November 12, 2013
Page 3

apologized. In terms of the reality of the process, the apology makes no difference. It is obvious that, at this stage, the public process is a pretense.

The Marina Inn has served the City and its residents. It is a stakeholder in the Marina Area. The conceptual project is just that--a proposal. Conceptual development should not be designed or implemented in such a manner to negatively impact The Marina Inn. The proposed development should result in a win/win. Right now, it does not. We request that you put the project back on the right track.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael H. Leifer", is written over the typed name. The signature is fluid and cursive.

Michael H. Leifer

MHL:ebn

cc: Cynthia Battenberg, City Business Development Manager
Marian Handa, City Clerk
Client



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November 25, 2013

MICHAEL C. CHO, OF COUNSEL
ROBERT C. IHRKE, OF COUNSEL
JAMES E. WILHELM, OF COUNSEL
DENNIS G. TYLER*, RETIRED
*A PROFESSIONAL CORPORATION

VIA E-MAIL & U.S. MAIL

Cynthia Battenberg
Business Development Manager, City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: The Marina Inn, 68 Monarch Bay, San Leandro, CA 94577

Dear Ms. Battenberg:

As a follow-up to our letter and comments to the City Council last week regarding the Shoreline Development Project, we would like to reiterate the need for a market study to demonstrate that San Leandro and the Marina area can support the addition of a new hotel.

It is our further understanding that an additional new hotel is being proposed to be developed near the new Kaiser campus in San Leandro.

We do not believe that an adequate market study has been conducted to determine whether the market can support this influx of new hotels in addition to The Marina Inn. It is our opinion that such a market study should occur now and should not be postponed.

Additionally, we request that the City/Developer analyze the potential economic impacts in the EIR. In order to fulfill its informational obligations, the EIR must consider the Shoreline Development Project's individual and cumulative potential to indirectly cause urban/suburban decay by precipitating a downward spiral of hotel closures.

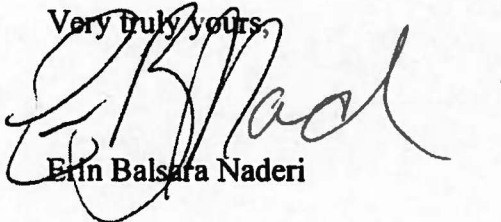
Cynthia Battenberg
November 25, 2013
Page 2

Support for such an analysis in an environmental document can be found in *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.

Further, we would like to know how the developer proposes to phase the Shoreline Development Project. The phasing of the project should be considered and analyzed in the EIR.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Erin Balsara Naderi". The signature is fluid and cursive, with a large initial "E" and "B".

Erin Balsara Naderi

EBN:ebn

cc: client

From: Martie Kinsell [mailto:martiekinsell@yahoo.com]
Sent: Saturday, December 14, 2013 8:26 AM
To: Barros, Sally
Subject: San Leandro Shoreline Development Project

Dear Ms. Barros,

My husband and I live at 14011 Seagate Drive and have received the Notice of Preparation packet for the upcoming shoreline development.

We are very interested in learning more about the housing units that will be built (condominiums, in particular) and would appreciate receiving more details about them, i.e., proposed floorplans and prices, projected build times and, most importantly, when we could actually take necessary steps to reserve a unit before it is built. Ideally, we would like to live very close to the golf course so we (my husband, in particular!) could enjoy pretty views and be steps away from playing a round!

Thank you, in advance, for any information you can share.

Martie K Marchetti



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

Notice of Preparation

December 11, 2013

To: Reviewing Agencies
Re: San Leandro Shoreline Development Project
SCH# 2013072011

Attached for your review and comment is the Notice of Preparation (NOP) for the San Leandro Shoreline Development Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Sally Barros
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2013072011
Project Title San Leandro Shoreline Development Project
Lead Agency San Leandro, City of

Type NOP Notice of Preparation
Description The San Leandro Shoreline Development Project is proposed as an integrated master planned development and a public/private partnership with the City on 52 acres of the City-owned marina.

Lead Agency Contact

Name Sally Barros
Agency City of San Leandro
Phone 510 577-3458 **Fax**
email SBarros@sanleandro.org
Address 835 East 14th Street
City San Leandro **State** CA **Zip** 94577

Project Location

County Alameda
City San Leandro
Region
Cross Streets Marina Avenue/Monarch Bay Drive
Lat / Long
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways I-880
Airports Oakland Int'l
Railways
Waterways San Francisco Bay
Schools Garfield ES
Land Use Z: CR Commercial Recreation; GP General Commercial and Parks/Recreation

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Conservation; Department of Parks and Recreation; Resources, Recycling and Recovery; San Francisco Bay Conservation and Development Commission; Department of Fish and Wildlife, Region 3; Office of Emergency Management Agency, California; Native American Heritage Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 4; Air Resources Board; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control

Date Received 12/11/2013 **Start of Review** 12/11/2013 **End of Review** 01/09/2014

NOP Distribution List

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- Dept. of Fish & Wildlife**
Scott Flint
Environmental Services Division
- Fish & Wildlife Region 1**
Donald Koch
- Fish & Wildlife Region 1E**
Laurie Harnsberger
- Fish & Wildlife Region 2**
Jeff Drongesen
- Fish & Wildlife Region 3**
Charles Armor
- Fish & Wildlife Region 4**
Julie Vance
- Fish & Wildlife Region 5**
Leslie Newton-Reed
Habitat Conservation Program
- Fish & Wildlife Region 6**
Gabrina Gatchel
Habitat Conservation Program
- Fish & Wildlife Region 6 IM**
Heidi Sickler
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Wildlife M**
George Isaac
Marine Region
- Other Departments
- Food & Agriculture**
Sandra Schubert
Dept. of Food and Agriculture
- Dept. of General Services**
Public School Construction
- Dept. of General Services**
Anna Garbeff
Environmental Services Section
- Dept. of Public Health**
Jeffery Worth
Dept. of Health/Drinking Water
- Deita Stewardship Council**
Kevan Samsam
- Independent Commissions, Boards
- Delta Protection Commission**
Michael Machado
- Cal EMA (Emergency Management Agency)**
Dennis Castrillo

- Native American Heritage Comm.**
Debbie Treadway
- Public Utilities Commission**
Leo Wong
- Santa Monica Bay Restoration**
Guangyu Wang
- State Lands Commission**
Jennifer Deleong
- Tahoe Regional Planning Agency (TRPA)**
Cherry Jacques
- Business, Trans & Housing
- Caltrans - Division of Aeronautics**
Philip Crimmins
- Caltrans - Planning**
Terri Pencovic
- California Highway Patrol**
Suzann Ikeuchi
Office of Special Projects
- Housing & Community Development**
CEQA Coordinator
Housing Policy Division
- Caltrans, District 1**
Rex Jackman
- Caltrans, District 2**
Marcelino Gonzalez
- Caltrans, District 3**
Gary Arnold
- Caltrans, District 4**
Erik Alm
- Caltrans, District 5**
David Murray
- Caltrans, District 6**
Michael Navarro
- Caltrans, District 7**
Dianna Watson

- Caltrans, District 8**
Dan Kopulsky
- Caltrans, District 9**
Gayle Rosander
- Caltrans, District 10**
Tom Dumas
- Caltrans, District 11**
Jacob Armstrong
- Caltrans, District 12**
Maureen El Harake
- Cal EPA
- Air Resources Board**
- All Projects**
CEQA Coordinator
- Transportation Projects**
Jon Taylor
- Industrial Projects**
Mike Tollstrup
- State Water Resources Control Board**
Regional Programs Unit
Division of Financial Assistance
- State Water Resources Control Board**
- Student Intern, 401 Water Quality Certification Unit**
Division of Water Quality
- State Water Resources Control Board**
Phil Crader
Division of Water Rights
- Dept. of Toxic Substances Control**
CEQA Tracking Center
- Department of Pesticide Regulation**
CEQA Coordinator

- Regional Water Quality Control Board (RWQCB)**
- RWQCB 1**
Cathleen Hudson
North Coast Region (1)
- RWQCB 2**
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3**
Central Coast Region (3)
- RWQCB 4**
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S**
Central Valley Region (5)
- RWQCB 5F**
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R**
Central Valley Region (5)
Redding Branch Office
- RWQCB 6**
Lahontan Region (6)
- RWQCB 6V**
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7**
Colorado River Basin Region (7)
- RWQCB 8**
Santa Ana Region (8)
- RWQCB 9**
San Diego Region (9)
- Other**
- Conservancy**

JANET PALMA
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SCOPING COMMENTS FOR MARINA SHORELINE DEVELOPMENT EIR REVISED NOP DATED DECEMBER 11, 2013

Again, I would like to iterate the following with edits and additions:

GENERAL: I have disagreed with the entire process for this project from the start. The whole dredging issue was deliberately mismanaged by officials within San Leandro who did not care that one of our most important assets was being systematically destroyed. There were many options available to take advantage of when Cal Coast agreed to take on the marina development as master builder, not least was tying in Development Agreements to payment of dredging fees. A quote from our city's website states the following with the accompanying photograph:

San Leandro is a friendly and diverse city with a colorful heritage and numerous cultural amenities including a 450-berth Marina, two golf courses and a large community library.



To quote Councilman Jim Prola: "the presence of the boats in the harbor creates a desirable ambience." In addition, it is a shame that certain current Planning Commissioners seem to be more interested in seeing housing development maximized at the site because they sell real estate. Nobody seems to actually realize how unattractive the marina will be without the boats.

Eliminating this marina will be the demise of the most beautiful attractions in this city. The proposed development is quite short-sighted and despite informing City staff that BCDC would never allow the "islands" previously proposed and pitched to the advisory committee, staff continued to push this option until BCDC said no. They also stated that all development would

need to be drawn back from the water, which moved the hotel right next to the existing Marina Inn effectively destroying their views. Now the new hotel/conference center is over on the spit right on the waterfront. Was this option vetted by BCDC? To quote D. Pitcaithley's letter to the San Leandro Times:

"Ed Miller, the owner and operator of Cal Coast, said before Mayor Cassidy, the City Council, and me: "My investors would be much happier if there was going to be a functioning boat harbor." Even the master developer understands the difference between sailboats and no sailboats as a public attraction. The general public cannot know what it will look like until they actually see the views that will be lost. That is why many detailed visual simulations are necessary to expose this folly for what it is.

At the Scoping Session, we were told that about 60% of the EIR budget was going to transportation studies. This must be a huge budget because there are numerous technical studies that should be conducted including, but not limited to: air quality/odors, biological effects, cultural resources, geological, hydrological, sea level rise and others.

A. AIR QUALITY – Along with the transportation and hydrology studies, a comprehensive air quality is necessary to determine the level of odors that will result from allowing the marina to silt in. The stench alone could drive everyone away permanently from the area. Will there be a comprehensive study to determine the effectiveness of the "aeration fountain" at low tides?

B. BIOLOGICAL RESOURCES – Clearly a comprehensive biological study is required considering water impacts as well as landside impacts to Monarch butterfly and other birds, mammals and invertebrates. On a recent walk along the Marina Park trails during low tide, we saw multitudes of birds ecstatically utilizing the natural environment. This area is in the Pacific Flyway and should be studied at great length to determine all impacts.

C. CULTURAL RESOURCES – Is there reason to believe that there are artifacts of any kind buried that will be unearthed from construction?

D. CLIMATE CHANGE – What is the potential impact to any new development due to sea level rise? Who will pay for any future modifications that may be required to a seawall or other barrier that may be erected? Will this issue go the way of dredging as being unsustainable financially and therefore cause the future demise of the new development, forcing the City to pay the bill? Has there been any thought to the fact that if we just wait long enough that sea level rise will eventually eliminate the need for dredging altogether. Where will the waterfront really be in 10, 20 and 30 years based on the BCDC maps.

E. GEOLOGY AND SOILS – A thorough study needs to be done to determine the suitability of building more intensive development on what is probably landfill.

F. HYDROLOGY AND WATER QUALITY – What is the long-term effect of the siltation going to have on water quality for this area? Will the Regional Water Board, BCDC and Army Corps permit this development? Meetings should have been held years ago when the alternatives were first discussed and not wasted time convincing residents that plans were approvable when they were not. Maximizing buildout along a tidal wetlands area is not environmentally sound or

protective. What will be the effect of all this new development on water quality and wetlands? Constructing another Heron Bay development should never be allowed.

G. LAND USE – Should there really be an amendment to allow this type of development here? Housing and offices? Where is the retail, which might at least have a chance at bringing some outside people to this area? Where is the Market Study to show that this area is desirable enough for these uses? We have tons of unused office space – why are we building more?

H. NOISE – Long-term noise impacts need to be evaluated – both for the current residents and for any future new residents and users.

I. POPULATION AND HOUSING – Interesting idea that we can justify more housing down in this area to pencil out for the developer, but somehow all the TOD housing by the BART station has fallen away, which clearly makes more sense. How are these people going to get to public transportation? Are they going to pay for a shuttle or is the City going to provide them special services? What is the real need for housing here except to satisfy the developer?

J. TRANSPORTATION AND TRAFFIC – Goes without saying that there is one road along the waterfront and traffic will be a nightmare. Are there plans for limiting parking that would make it even harder for users other than workers and new residents to utilize the area for recreation? What is the comprehensive long-term plan for parking, traffic and transportation? Shuttles? Structured parking?

K. UTILITIES AND SERVICE SYSTEMS – What is the long-term impact of all this “NEW” development going to have on schools, parks, police, fire, etc? Why was there no consideration of putting some alternative energy system in this area – solar, wind? When it was suggested to City staff, it was turned down as infeasible without any study. Now, we understand that there is a utility line running through the project site, which required further modification. How is it that no preliminary studies were conducted over all these years to previously identify this utility line?

L. VISUAL RESOURCES – What is this place going to look like without the boats? We need detailed visual simulations of views from Marina Inn, Horatio’s, and every other potentially significant viewpoint along the waterfront.

M. ALTERNATIVES – Last, but not least, we need to see a comprehensive review of the project alternative with the “LEAST ENVIRONMENTALLY DAMAGING IMPACT”. Not the one that the developer or interested parties want (e.g., the real estate developers), but the best project that will have the least environmental impact. All possible alternatives should be analyzed, not just the ones that were dismissed by the advisory committee and/or the BCDC. Marinas are notoriously not financially self-sustainable. This had to be known when the San Leandro Marina was created in the first place. Who thought that dredging would be free or cheap forever? Why was the future for dredging never planned for? We the citizens deserve to have a clear, honest and comprehensive discussion of the history of this marina and how it got to be that no money or business plans were put into place to keep the marina operating in the long-term.



August 2, 2013

Ms. Sally Barros
Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

via email SBarros@sanleandro.org

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Proposed San Leandro Shoreline Development Project

Dear Ms. Barros,

The Port of Oakland (Port) appreciates the opportunity to provide comments on the City of San Leandro's (City) NOP of a DEIR for the proposed development project in the 1,800 acre Shoreline Area. As stated in the construction phasing section of the NOP, the City has subdivided the project area into three Phases: Phase 1 includes up to 98 new residential units, and a 200 room hotel, and Phase 2 includes up to 70 new residential units; Phase 3 does not include residential units. The development project is proposed as an integrated master planned development and a public/private partnership on 52 acres of the City-owned marina.

The Port understands that the City plans to distribute a DEIR for public review in Spring 2014, and to certify the EIR in Fall 2014. The Port offers these comments as the owner and operator of Oakland International Airport (OAK).

1. Airport operations regularly result in over-flights in residential areas proposed in the development project, especially over the City's Shoreline Area. Consideration should be given to sound insulation and avigation easements in this area, and the need to disclose the potential for low-flying aircraft during property sale disclosures. A noise analysis is recommended for the following four flight procedures:
 - Runway 29 Approaches
 - Runway 29 Departures
 - Runway 11 Departures
 - Runway 09R Night-time Departures

2. The Port and the City of San Leandro entered into a Settlement Agreement on November 7, 2000, and entered into two amendments to the Settlement Agreement on July 22, 2003, and December 16, 2004 respectively. These Agreements should be reviewed for conditions related to development in the vicinity of OAK. For example, sound insulation was required for residents in up to 200 homes in the Davis West, Timothy Drive and Neptune Drive areas; housing in the proposed project is closer to

- the Port's main runway (Runway 29) than many of the homes designated for sound insulation.
3. The Project Area is within the Airport Influence Area defined by the Alameda County Airport Land Use Commission (ALUC) based on political boundaries, noise contours, and flight tracks. As specified in ALUC's *Oakland International Airport Land use Compatibility Plan (December 2010)*, the ALUC is authorized to review the City's DEIR for noise and safety compatibility, airspace protection, and aircraft over-flights. Please include an analysis of noise and safety compatibility, airspace protection and aircraft over-flights, and provide to the ALUC for their review.
 4. OAK is known for its reliability and convenient access. The DEIR should analyze the potential impacts of the proposed project on 3 of 4 of OAK's main access roads: Hegenberger Road, 98th Avenue, and Doolittle Drive.

Thank you for the opportunity to comment on the DEIR. I look forward to discussing these issues sooner rather than later with the project applicant, Cal Coast Development, and the CEQA consultant. If you have any questions, please contact me at (510) 627-1759 or dheinze@portoakland.com

Sincerely,

Diane Heinze
Environmental Assessment Supervisor
Division of Environmental Programs and Planning

Cc: Richard Sinkoff, Director, Division of Environmental Programs and Planning
Deborah Ale-Flint, Director, Aviation Division
Susan Fizzell, Environmental Planner, Airport Noise and Environmental Affairs
Joshua Safran, Port attorney

January 9, 2014

Ms. Sally Barros
Senior Planner, Community Development Department
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

VIA EMAIL

Dear Ms. Barros:

I am writing on behalf of UNITE HERE Local 2850. We represent over two thousand hospitality industry employees in the East Bay, and we are submitting comment with respect to the scoping for the San Leandro Shoreline Development Project environmental review. Given that the project as currently described includes a hotel and three restaurants, we are particularly interested in its potential positive and/or negative impacts on working conditions, the broader hospitality market, and quality of life for workers, neighbors, and other residents. Besides being hospitality workers, our members are residents of the East Bay, including the City of San Leandro, and like other residents, use and enjoy the Bay shoreline. As such, we are also interested in the wide-ranging environmental impacts that hotels have, as well as in ensuring adequate social services for the employees working at the hotel and restaurants.


With respect to the forthcoming CEQA analysis of the San Leandro Shoreline Development Project, we request thorough study of the following:

- **Parking and traffic:** Close attention should be paid to the impact of the hotel and restaurants on the demand for parking spaces in the development and to the traffic likely to be generated by those elements of the project. In particular, this analysis should address the implications of these factors for the ability of the public to access the shoreline.
- **Water quality and habitat:** There should be a thorough study of the potential impact of the construction and operation of the entire project on sensitive wildlife habitat in the area and on water quality in the San Francisco Bay.
- **Climate change:** Given the close proximity of the project to the Bay, and the project site's low elevation, close attention should be paid to the possible effects on the project's residents, guests, and the public of rising sea levels due to climate change, as well as the possible effects of major storms.

- **Impacts on public transit, housing, child care, etc.:** There should be a full review of potential impacts of hotel and restaurant employees on the demand for public transit, housing, child care, and various public services and forms of public assistance in the area.
- **Health and safety:** Employment in hotels and restaurants can have significant effects on employees' health and safety. Many factors can influence these effects, including design of workspaces and quantity of work. In addition, certain employment-related issues, such as staff shortages, which are common in hotels, can have significant effects on the health and safety of guests and the public. We request a complete understanding of the sponsor's plans with respect to these matters, and a thorough analysis of the potential impacts of these plans with respect to the health and safety of employees, guests, and the public.
- **Kitchen design elements:** Given the concentration of heat sources and dangerous equipment in restaurant kitchens, the design of such kitchens has a major impact on health and safety of restaurant employees. We ask that the design of the restaurant kitchens receive particular review and analysis.
- **Employee and delivery entrances and circulation:** Most hotels maintain separate entrances for employees, shipping/receiving, and guests. The Department should require a thorough understanding of the project's design with respect to ingress/egress, and the impacts of such design on pedestrian and traffic flow, and related environmental issues.
- **Passenger loading/unloading:** There should be a thorough examination of how the hotel element of the project will be designed for passenger loading and unloading - patterns which will be much different from the residential and office portions of the development, and which as a result will have different impacts on pedestrian and vehicular traffic flow.

Thank you for your attention to these issues. Please include us in all future communications regarding this project. I am the contact person for our organization and can be reached at the above mailing address, by email at thudson@unitehere.org, or by phone at 213-509-9114 (cell).

Sincerely,



Taylor Hudson
Research Analyst

Cc: Ms. Cynthia Battenberg, Community Development Director